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DR M R JAYAKAR NEW DELHI

SHIA KHOJA BHOJIS MOGHUL S HINDUSTANI AND JULIA OF BOMBAY AT MEETING HAVE RESOLVE TO COOPERATE IN OUR — CENTRAL ASSEMBLY AND REJECT ALL OUR NATIONAL LEADERS NOMINATE OUR RESPECTED GUIDE AKBAR HYDERI NOMINEE L L L JEE AS A SHIA REPRESENTATIVE MINORITY COMMITTEE ---- ----SETH HASANALI MOHAMEDALI PRESIDENT AND HIS JOINT SECRETARY

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SECREATARY

HIND GRAM SABHA

C. P. & BERAR, NAGPUR.

(Head Office : NAGPUR.)

MEMORANDUM

of

objections against the abolition of Zamindari & Malguzari system in C. P.

PRESENTED

to the Honb'le Chairman & members of the

Constituent Assembly Delhi,

the Honb'le members of the

Interim Govt. of India.

the Honb'le the premier of C. P. & Berar,

the Honb'le the chief justice

&

puisne judges of the

High Court of Judicature at Nagpur and other sundry legislators

by

The Zamindar-Malguzar Branch of the Hind Gram Sabha of C. P. & Berar, Nagpur.

President :

Nawab Ghazi Mohammed Wahidnddin of Gewardha

Treasurer :

P. G. Buty Banker & Landlord

General Secretary :

S. H. Karim Landlord & Advocate

Joint Secretary

K. L. Sonak Doctor & Landlord

R. R. Chande Landlord

Shree Sharda Press, Near Dhannaram Building Nagpur.

Office Bearers & Members Of The EXECUTIVE COUNCIL

1. Nawab Ghazi Mohammed Wahiduddin, *President.*
2. M. G. Chitnavis, *Vice President.*
3. P. G. Buti, *Treasurer.*
4. Yenkat Rao Gujar, *Member.*
5. Yeshwant Rao Gujar,
6. Ganpat Rao Yado Rao Pandy,
7. Raja Ranshaw Bapu,
8. S. H. Karim, *Gen. Secy.*
9. K. L. Sonak, *Joint*
10. R. B. Chande,

MEMORANDUM

1. The C. P. & Berar Provincial Legislature has passed a resolution on 26-10-46 for the removal of intermediaries between the cultivator and the State.

2. A Scheme is being prepared which may be introduced in the form of a bill and passed into law in the near future.

3. The reasons given for the elimination of the Zamindari and Malguzari system in the province are that :—

(1) They are intermediaries between the State and the tenants.

(2) They are the creation of the Britishers who appointed them as their Dalals for rent collection.

(3) As the Britishers are on the verge of going their system of land tenure also should go with them because it has been the root cause of the bad plight of the tenantry.

(4) For the betterment of the tenantry their direct contact with the State is essential.

(5) They have not rendered in the past and are not doing at present any social service to the community.

(6) The landlords are enjoying unearned income from their Malguzari or Zamindari.

4. A brief survey of the history of the land Tenure system in C. P. & Berar would make it abundantly clear that the charges levelled against the Zamindars and Malguzars are quite unfounded.

5. Before the advent of the British the Nagpur Kingdom was held by the Bhonsalas. Nimar and Hoshangabad district formed part of the Deccan Kingdom. Raipur and Bilaspur formed part of tne Haihai Bansi Rajputs. The remaining part of the Province formed part of Gond Kingdoms. All these different administrations have left their stamp on the land tenure in this province even till today. The Zamindaris, Jagirs and Maufidaries in Chhattisgarh and Jubbulpore Division and other places like, Chanda own their positions as survivels of the old Gond Kingdoms and feduel States and hold Sanads to that effect.

6. As is evident the entire land in the province belonged to the then Rulers. It was utilised by them in two ways. The Marathas as also the others had a system of annual farming of villages. The villages consisting of definite areas of cultivable, uncultivable, Abadi land, tank and pastures and jungle were every year or in some case for three years leased out to persons who were called the farmers of land revenue or Malguzars either on the basis of *ain* depending on the yield power of each field or on condition of rendering Military ane Meritorious services to the Rulers.

7 Tracing the history of the origin of the Malguzari system Niyogi J. in A. I. R. 1940 Nagpur 49 thus states :—

"The history of this branch of the law is contained in a succint form in Mr. J. F. Dyer's introduction to the land revenue and settlement system of the Central Provinces. At page 35 of that book the formal proclamation of Government which was issued in June 1854 is reproduced. The relevant provisions of that proclamation are as below:—

Para (2) It is now the intention of Government to make another twenty years settlement and to confer the Zamindari rights on such persons as may have appeared

to have the best right to such a gift either from their having long held possession or from their having since the cession brought estate in their possession into cultivation and regularly paid the Government demand on them.

Para. (10) When no person can prove a prior right to the soil and the cultivator has had uninterrupted possession at a fixed Jama since A. D. 1840 and has regularly paid such Jama he shall be considered the proprietor and he shall be entitled to transfer his holding etc.

Para. (16) The Government reserves to itself the right to all quarries and all mineral products etc.

(Para. 17) The Government also reserves to itself the right to all forest etc.

In Government of India's letter No. 2279 dated 28th June 1860 which was a reply to letter No. 60 dated the 19th May 1860 from Nagpur Commissioner (Dyer P. 41) it was stated in para 13. In regard to the administration or creation of the proprietory right in the Malguzar I am desired to state that the Governor General in Council is strongly in favour of measures so far as it can be carried out without prejudice to the rights of others. But His Excellency in Council is in favour of giving the proprietors thus created as large and absolute a control over the property vested in them as is consistent with the local usage and feeling. When such usage and feeling are not opposed to the measure, it can only tend to the Prosperity of the province to confer on every land holder as nearly as possible a fee simple in his estate subject only to the payment of revenue to the Government, and to put it in his power to dispose of his interest in the land as he please by sale, gift, mortgage and bequest or otherwise and though it is not desired that this policy should be pushed so far as to do violence to the feelings of the agricultural community or interfere with vested interests. Yet His Excellency in Council wishes you to bear in mind that it is not the wish of Government to limit the proprietory right any further than a due respect for such feelings and interest requires".

Thus the grant of proprietory right made at the regular 50 years settlement of the sixties is the most important land mark in the revenue history of the Central Provinces (Ibid pp. 22).

Formerly the cultivators were protected by the common sentiment of the community which was embodied in custom but with the conferrel of proprietory right upon the malguzar it became necessary to define the rights and liabilities of the tenentry. The grant of proprietory right was indeed not unconditional as care was taken to protect the interest of the Government in respect of mines and quarries and large tracts of proprietory right was complete. Under the Maratha system Malguzar was indeed a farmer of revenue but for all practical purposes he was a *defacto proprietor* although he had not been formally recognised as such. The British Government however recognised that those rights existed and they confirmed them as is clear from the instructions contained in the Settlement Code of 1863 (Page 35) in these word;—

"The recognition of positive rights of ownership has hithertofore been with held. But these rights nevertheless existed and are now to be recognised, the leading object being to recognise fixed rights or claims or interests in whatever from they may already have grown up".

"It would be evident from the above that the Malguzars evan before the first Settlement of 1884 were recognised as having rights approaching ownership. By the award of proprietory rights they became dejure proprietors. The cultivators who were suppposed to pay land revenue to Government through the malguzar were required to pay rent to him. Thus the transition from the old order to the new order was complete with the result that the malguzars and the cultivators were placed on the footing of landlord and tenant".

8. Vis-a Vis the aforesaid view of Niyogi J. in A. I. R. 1940 Nag. 49. We have per force to come to the conclusion that the grant of the proprietory rights

created a title in favour of the malguzars whether by way of gift or perpetual lease. In either case the provisions of the Transfer of property Act would govern such a case and any Legislation to the centrary would be said to affect the subjects mentioned in entries 4 and 8 of the List III (concurrent list) to section 100 of the Constitution Act and any legislation which is repugnant to the provisions of the existing law in this case the Tranfer of Property Act, the Civil procedure Code and the Indian Contract Act would be void by virtue of section 106 (2) of the Constitution Act.

9. Thus it may be viewed that right from the very beginning the malguzars had the direct contact with the State and were the direct contracting parties to it. They were the real and actual lesses of the state who got the villages on payment of revenue. The so-called lesses or tenants now are not the tenants of the State but the tenants of the malguzars and hence the state attempting to contact them is just like land lord dealing directly with the Sub Tenants.

10. By the recognition and conferral of the proprietory rights over the malguzars and Zamindars in their villages practically no harm was done to the tenantry rather on the other hand the security and stability of the rights and property not only of the malguzars but also of the entire tenantry was perpetually guaranted and hence the charge of bad plight of the tenantry due to the existence of the malguzars has no cogency.

11. In view of the above it is crystal clear that the malguzar and the Zamindars are absolute owners of their villages and not the intermediaries or Dalals as they are unfortunately dubbed by the present Regime. The present Government being the successor in office cannot go back on the word contract and pledge of their predecessors who are still in existence. If it were so it would be a flagrant violation of the spirit of the contract and the Government would have in all justice and fair play to pay the damages or compensation for the breach of contract which would in all probability mount up to a Collosal amount and bring a cumbrous pressure and drain out on the Government ex-chequre without any relative gain or advantage to the nation.

12. The so-called had Plight is not only confined to the tenants but also extends to the malguzars. The defect lies not in the existence of the malguzars but in the system of payment of annual instalment of rent and revenue which are relatively so heavy, and which if paid in full leave no balance with the payer to meet his recurring agricultural expenditure for the year and his other necessities of life to maintain his bare existence with the result that he has to beg, borrow or steal in the struggle of his life which in its turn has its own pernicious effect. The past Government have taken little trouble to find out where the shoe pinches; on the other hand they have deliberately by passed this glaring injustice with a view to maintain their level of revenue to meet the top heavy and pompous administration every year.

13. When the present regime should do as it has great sympathy with the Peasantry is to reduce the rent to an irreducible minimum and exempt the uneconomic holdings from the payment of revenue. This would certainly be a measure of sincere help to the peasantry. Let the State and the malguzars both who are the contracting parties suffer equally in a common cause in the best interest of the peasantry. That would also be not illegal because the right to reduce or enhance the rent has been reserved by the State.

14. There are other points of view too from which the present drastic steps taken by the Provincial Government is neither reasonable nor justifiable.

Socio-Economic.

16. The Zamindars and Malguzars form the back bone of the present socio-economic structure of the society. They represent the upper middle classes and

Hence their existence to maintain the social and economic equilibrium is as much essential as that of any other class. As the Government are not going to abolish all the classes at present and abolish all private property on the model of Soviet Russia which she has revised according to Article of its New constitution, the abolition of this class only is not at all justified from any point of view. Even from the point of view of decentralisation embodied in the Gandhian economic plan, the existence of malguzars is very essential in view of the fact that on the basis of his recognised right and heriditary socio-economic experience & patriarchal position he can play the best possible roll in that behalf. In the pre-British days they have not only converted the fallow and barren land into arable areas but had actually introduced and brought about peace, prosperity and happiness into the villages by making them self sufficient units. The socio-economic culture developed by them in the villages was rather unique in the world history. In the village communities which were little re-publics representing a mineature Government and having every-thing within themselves and almost independent of any foreign relations the malguzars have played a leading and conspicious roll. It was this ability and capability of the malguzars which made the Britishers recognise and confer proprietory rights on them.

Political.

16, At present the country is passing through a critical stage of political revolution. Loot, arson and bloodshed are reigning supreme. This is the time when peaceful method should be adopted and status quo of all the classes should be maintained. Their co-operation must be sought in the national struggle for the freedom of our mother land.

17. The present policy is nothing short of cutting the branch on which one is perched. The direct contact of the tenants with the State at this critical juncture when there is little certainty about the stability of the interim arrangement means an indirect help to the Section 93 Government. It may be argued that direct contact may prove useful for no rent compaign when the present regime is out of power. What is the guarantee that conflicting idealogies will not crop up and the weapon which is being forged against the Section 93 Government may be used against the popular Government at this very moment when Communists are only seeking opportunities to embarass it.

18. Independent India in real sense of the term must be the first postulate of any scheme of economic reconstruction. We are whole heartedly with the State but the point of fundamental importance is as to who owns the state? Let it be the Nation's State and let the Britishers quit the Indian soil and shore and we are one with it. Without full political freedom all plans are bound to be futile.

19. The question of fundamental rights is before the Constituent Assembly. So also the rights of persons and properties are to be embodied in the charter for all the People constituting the united Nations of the world of which India is a member. The class of Malguzars and Zamindars are a minority which are sure to be lent protection by the Advisory committee of the constituent Assembly. These matters are pending consideration and any measure for abolition of Malguzari and Zamindari class should await the final decision of constituent Assembly and United Nation's Assembly.

20. Without any Government Communique or white paper to the effect as to what special advantages the Government are going to confer over the tenants by the abolition of the Malguzari and Zamindari, without taking the sense of tenantry and without making crystal clear to them the ulterior object of this preliminary move, any step taken in this direction is not only bad politics but also unsound economics.

21. The malguzari system in this province is quite different from the system in other Provinces. Their rights have been considerably curtailed by the Land revenue and Tenancy Legislations which have reduced the land lord to the position of big cultivators only.

22. Their number and position will be cleared from the figures of land revenue paid by them. The number of land lords paying over Rs. 3000, as land revenue is not more than 500 or so, which is quite insignificent.

23. The Congress passed the resolution for the Britishers to quit India in 1942. The resolution has not yet been implimented The main object of the Congress was to get India quitted by the Britishers, but the Irony of fate is that the resolution is being implimented by getting rural India quitted by its own People.

Financial.

24 The Congress menifesto declares that whole question of rural economy should be dealt with together. The financial policy of any country has never been to work out piecemeal. When any change is contemplated it has bean wrought wholesale and simulteneously in all economic departments Making fish of one and flesh of another or robbing Peter and paying paul has never been the financial policy of any Government on the face of this Globe. If financial Position of the Government is to be strengthened all the parties of economic activity must be tackled at one and the same time. The Government cannot be financially strong by causing one man's gain and another man's loss. If that should be the principle why should it not be applied first to the Assam Tea Gardens which afford extensive scope for strengthening the financial position of the Government.

Compensation.

25. Inspite of the above facts some people have the audacity of suggesting that the property of the malguzars should be confiscated without giving any compensation. But the Hon'ble Minister for Revenue has declared that compensation will be given. Some have suggested that ten times of the annual assessment may be given to the Malguzars and Zamindars for the acquisition of their 2/5th proprietory rights in the villages. This reflects the present financial position of the Government and their paying capacity and not the actual market value of the right to be acquired. If it is justified why not the same analogy be applied to the Government's 3/5th share in assessment of the villages. The Government would do wise by accepting on the same basis in a lump sum four times of the assessment from the tenants and Zamindars and malguzars and freeing them from future liability to pay any revenue and state control. That Government is best which governs the least. If the state is prepared to render real and substantial service to the poor peasantry the malguzars and Zamindars are also ready to sacrifice their personal gains. The preseet move for the payment of compensation at such a considerably low rate is arbitrary and offends the principles of justice, equity and good conscience and fair play and violates the plain and simple economic law of supply and demand. The test of real value lies in the amount at which the buyer is willing to buy and the seller is willing to sell in the free market. In this connection there have been privy Council decisions which strongly speak in favour of the owners of the property.

Abolition not necessary.

26. The malguzari and zamindari system as it is today dose not call for any attempt to tackle it in view of the existing tenancy laws specially the tenancy amendment Act 11 of 1940 which gives unlimited rights to the tenants. He can easily get the proprietory right if he really means and feels the sting of the malguzar's cultches. But statistics prove that infinitismally small percentage of tenants have shown their willingness to obtain proprietory rights and that too only in the vicinity of the towns for purposes of sale where they were baited by high prices by the moneyd luxurious citizens who required land for their country vilas and luxury gardens meant only for their jolly trips and summer excursions. When this measure was introduced in 1939 it was claimed that it was the wish of the tenants but this did not Prove to be true even during this sufficiently long transitory period of six years when tenantry could easily afford to purchase proprietory rights by just throwing

away an insignificent amount of 10 and 12½ times the rent of their holdings and getting themselves declared Malik Makbuzas. But the tenantry was wise enough not to do as it had foreseen the evils of this legislation which has tended to convert agricultural land into non-agricultural and thereby to add deterimentally to the already acute shortage of food grains by failure of crops due to war and weather.

27. This state of affairs affords us a clue to the feeling and the sense of tenantry which is in favour of continuance of malguzari and Znmindari. Perhaps the protagonist of the abolition of malguzari and zamindari are not aware of the fact that there is a great identity of interest of the malguzars and Zamindars with those of the population living in those villages. He is the patriarch of the entire village family whose joys and sorrows gains and losses whose prosperity and adversity are closely and inseparably knit together with that of his people. He is a bulwark against any foreign agression on his people, They know that if this rampart is broken they would fall easy victims to the idocyncracies of self seekers and greedy money lenders. A glaring example before our eyes is represented by the sad and indescribable plight of the Berar tenantry who are without a shephard i. e, the malguzar and who have direct contact with the State. The tenants of yesterday are the Thalwas and the agricultural labourers of today. Their food grain producing land has been lying waste and converted into bungalow sites, luxury gardens and factery areas of the blood suking Jew Type Indian Banias. That is why we find in C. P. that the new legislation has not budged the tenantry even an inch from their position during these last long six years of trial. If the would be legislation is passed and enforced and direct contact with the tenantry is established the C. P. Tenantry too is doomed to experience the same pitiable fate of their brothern in Berar.

28. Under the circumstances and in the light of the granite facts present before us it would not be unwise and unstatesmanly if the present move is kept in cold storage for the transitory period required for complete independence of the mother Hind or in the alternative pending the decision of the Constituent Assembly. We are confident that the constituent Assembly while frames the constitution for India would make adequate Provision for the preservation of the fundamental rights and would afford the same protection to the Zamindars and Malguzars as to any other minority in India. Let us hope the legislators are dissuaded from this cold and unprovked act of making the malguzars and Zamindars of the province extinct and that they direct their activities towards is something else which may tend to usher in an era of peace, prosperity and hapiness by wholesome methods for all our brothern, the sons of the Indian soil.

29. In fine we would conclude by saying that [redacted] the long standing proprietory rights of Zamindars and malguzars should not be taken as they have already been curtailed by tenancy legislations.

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Palasgarh Bungalow,
NAGPUR.

TO

THE MEMBERS OF THE CONSTITUENT ASSEMBLY,

NEW DELHI.

Sir,

We, the Zamindars and Malguzars of Central Provinces, congratulate you for being the chosen representatives entrusted with the work of framing a constitution for the free people of India, under which would evolve a Government of the people, for the people and by the people.

2. We wish to lay our case before you, with a hope that due safe-guard would be provided for our class in the Constitution of Free India; we believe that our view point is shared by the other members of our class strewn over other parts of India, for whom also we are making this appeal to you. There is besides a special duty fastened on you to make a list of Fundamental Rights and Clauses for the protection of minorities, for being incorporated in the Provincial, Group, or Union Constitution.

3. It is extremely difficult for us to address you under one memorial, selected as you are under the patronage of the Congress, Muslim League, Hindu Sabha, Scheduled Castes, back-ward classes and other groupes in the country. And yet, to steer our way clear of the various controversies between you all, we wish to present our view point in a manner least objectionable to any of you. This is all the more necessary for us as in our fold of Malguzars and Zamindars are represented all the parties represented by your membership and also by those who claim the privilege of being non-party-men.

4. We are intruding on your valuable time and attention in a spirit of non-partisans, except as lovers of freedom for the mother-land. May we not hope that you should look at our appeal purely from that point of view? Unless we felt confident that you would shake off your partisan spirit in appreciating and deciding our appeal, there was no purpose in troubling you with this note, particularly when the majority party in the country *viz.* The Congress has sworn its determination to annihilate our class. Emboldened as we are by many Congress men in our class, we have ventured on this project.

5. We claim protection and recognition for our rights either under the category of fundamental rights or the protection of rights of minorities. The guarantee of fundamental rights and protection of rights of minorities is the corner stone of the Cabinate Missions' proposals; all parties who have secured entry in Constituent Assembly are in honour pledged to comply to the safeguards of fundamental rights and protection of rights of minorities. The very acceptance of the Missions' proposals implies that the private rights cannot be annexed or merged in the rights of the state and that they would be continued and allowed to exist. Soviet imitators have therefore no scope for their machinations on the floor of the Constituent Assembly for abolition of rights in property or curtailing personal rights. It will be clear sabotage of the Missions' proposals and breach of faith if the rights, existing as they are, of the Malguzars and Zamindars are allowed to be torpedoed by any Resolution or Legislation. Nay it has become necessary to make a special mention of the preservation of our rights, stopping any mischief leading to extinction or abolition of our class.

6. Onr status as Malguzars and Zamindars is nothing but an interest in tangible immoveable property, heritable and transferrable like any other property. The property has characteristics of any other property recognised by law. Even under the existing law, the rights of Malguzars and Zamindars can't be expropriated without compensation. In spite of this, and inspite of the fact that the question of fundamental rights and protection of rights of minorities is pending consideration before the Constituent Assembly, an unseemly haste has been exhibited in matter of expression of opinion by the Legislatures for abolition of our class. This has in fact necessitated our approach to you for protection to our class being mentioned in the Constitution.

7. Our claim for special mention is based as being founded on fundamental rights of private property. It is also based on our class being a minority. It could not be reasonably disputed that we share the necessary requisites of being described and understood as a minority in the words of Cabinet Mission's proposals; in case there is any doubt, the matter can be got cleared up by reference to the Federal Court. In the past, protection or imposition of disabilities had been fastened on our class treating us as a minority.

8. Ordinarily these provisions are inserted in many constitutions, notably in those of the European States formed after the First Great War. Congressmen amongst us feel that asserting of public demands in this country for any particular right is the most effective method of ensuring the destruction of that right; but we feel, and we have been able to persuade Congressmen amongst us to our view, that members of Constituent Assembly will have no feelings of retaliation against our class, and there would be equality of treatment in matters of every kind of property. The Constituent Assembly could be perfectly justified in incorporating identical guarantees for rights to private property and other fundamental rights which would be incorporated in the Charter to be issued by the United Nations of the World of which our country has the proud privilege of being a member.

9. Great hopes are raised in the minds of the public that the constitution which would be produced by the joint efforts of all the members of the Constituent Assembly subject to the approval of British Parliament would be ultimately put to the referrendum of the entire nation of India. It is the adult franchise universally made applicable to the country which can create a durable constitution. Unfortunately the Cabinet Mission has decided to sacrifice all principles of democracy and has given recognition to a kind of Facism destroyed completely on the Continent and in Japan in this war; there are mute and dumb millions who have been excluded from having a say as their voices are drowned in those vociferous claims of those who talk loudest that they alone can deliver the goods or they alone are the representatives. These considerations do arise because though in name a Constituent Assembly it is not anything beyond the Constitution making body working under the threat of being required to choose chaos and disorder, and even civil war, unless it produces an agreed Constitution acceptable to those who are supposed to quit and perhaps to those who are to stay as a different nation within what has so far been named as Hindusthan.

10. If the Constituent Assembly had been what it is understood in the history of the word in International World, chaos, disorder and civil war precedes the establishment of such a body; those who are in charge of destinies of the subjects have secured sovereign rights for the people and established their right to secure homage from one and all by rising above party shibboleths and have merged their individual or party identity at the alter of the country.

11. Moreover, is it very necessary to make a fuss of the constitution drafting for which all the discord and bad feeling is caused? All the wits have been exhausted in planning a constitution suitable for a country upto the year 1946; we have only to copy down—howsoever we may pretend to boast of originality—clauses or enblock, out of the constitutions of other countries. The blunder is sure to be committed in choosing mixed clauses,

or in picking those parts which are worst in different constitutions. In fact, have a fearless copy of the Soviet model or the American model. By pledging support to Mission's plans we are estopped from looking into Soviet Constitution. It would be committing clearly a breach of faith to introduce anything on the Soviet line, if the Model Constitution has to retain or revive any of the culture and civilization of this country. We have to strive to regenerate that unity and solidarity when respect for life, honour and property of one's own, will pulsate with the feeling of identity of those living in any nook and corner of this country and calling this country their Mother land. For such a millennium, let the rights of individuals, and in properties be sacrificed but not for anything short of this.

12. We are afraid that for making a show of constitution making body resemble a genuine Constituent Assembly, appearances for showing similarity of faces on Soviet model to redeem the effects of pilgrimage to Moscow some sacrifice of nobility in the country would be made; we feel that our class is being made the scapegoat under the pretext to screen those who are really the capitalists but are the genuine masters of the voices reflected in the mouths of political parties. We are against all such reforms, much less partial introduction of any dogmas.

13. We can trace historically the origin of our class to a stable and civilized Government in this country, it has been the dream of everyone in the country to revive the old glory by having once again that state of things and that form of Government when the Indians were really able to drive the foreigners beyond its borders and not depend on their good-will about when and how to quit or make a show of quitting while in reality to get a renewed charter to stay on.

14. We do not claim any special treatment with regard to our properties but what we claim is that our properties as a class should not be touched by any legislation unless the property of everyone in the country is brought under hotch-pot simultaneously. We crave for nothing more and nothing less than the Charter of rights in private property based on the fundamental rights under natural and international law and also under the rights guaranteed to minorities.

15. Will you not assure our existence by providing a guarantee ir the Constitution to be framed by you.

— JAI HIND —

NAWAB GHAZI,
OF GEWARDA ESTATE
Hony. Secretary,
Zamindars' Association.
&
President
'Hind Gram Sabha'.

NAGPUR,
D/— 22/11/46.

(The Aryan Press, Nagpur.)

OFFICIAL RESOLUTIONS

OF

THE HIND GRAM SABHA,

C. P. & Berar, Nagpur.

President

Nawab Ghazi Mohammad Wahiduddin

Secretari

S. H. Karim
K. L. Sonak
R. B. Chande

HIND GRAM SABHA C. P. & BERAR.

OFFICIAL RESOLUTIONS.

This meeting of the General Council of the Hind Gram Sabha held on 2-2-1947 at 1-30 p. m. in the V. T. I. Hall, Nagpur resolves unanimously as follows:—

(1) This House voices its sentiment of deep sorrow and displeasure at the evil news of the abolition of the Zamindari malguzari system in the province which has created a wide-spread wave of sensation and caused a terrific alarm and grave concern not only to the institutions concerned but also to the village tenantry and village proletariat in general.

(2) This House further deplores the narrow and prejudiced view taken by the present regime that the Zamindars and malguzars are the agents or dalals of the Britishers, Though in fact these zamindars and

malguzars had associated with this regime high hopes of mutual help, co-operation, goodwill and universal brotherhood, yet this House regrets that a rift is being created by those whom it thought as its own, constraining it to conclude that all these hopes are more likely to fail than to be fulfilled.

(3) This House vehimently protests against the step taken by the provincial legislature on 26-9-46 sponsering the abolition of Zamindari-malguzari system in the province which is not at all warranted by any canon of political sagacity and statesmanship.

(4) This House does not agree with the recommendations of the Provincial Govt. to curtail the Propritory profit of the Zamindars and malguzars to the extent of 25 per cent and opposes with all force any such change in their status-quo.

(5) This House brings to the notice of the legislature that the present tenancy law in force is more than adequate to meet the requirements of the tenantry and to improve their condition Any attempt therefore on

their part to introduce any change in the land tenure without any ostensibly reasonable ground would be quite inopportune and an uncalled for innovation against the wishes of the tenantry.

(6) The considered opinion of this House is that vis-a-vis the tense political situation in the country which is passing through a critical stage in her attempt to achieve her cherished goal of independence any disruptive and disintegrating activity on the part of those who are said to be her henchmen would prove prejudicial and pernicious to the very cause of her salvation from the shackles of slavery.

(7) This House therefore recommends to the legislature not to venture any such enterprise at the cost of the country's freedom.

(8) This House demands that as the country is faced with likely starvation, it is highly essential to make 'Grow More Food' campaign as effective and successful as possible. With this end in view Government should encourage production of foodgrains by granting in time taccavi loans and land

improvement loans on a substantially unrestricted scale to the cultivators in the province.

(9) This House enlightens the Government that most of the khudkast land in the province is lying fallow and is being used for grazing purposes on account of the high cost of production and the law restricting the right to self cultivation, It is therefore of vital importance to relax its application under the circumstances by permiting the landlord to lease it out from year to year for a period of five consecutive years without losing his right of ownership.

(10) That the present day sky-high prices of the agricultural cattle have made it almost impossible for an average cultivator to cultivate his land and grow more foodgrain. This House therefore deems it highly essential that the prices of the agricultural cattle be controlled and fixed at a reasonable level,

(11) This House urges the Government that as the prices of foodgrains and other agricultural commodities have been fixed and

controlled, it is highly essential for harmonious adjustment to counter-balance the cost of production by fixing maximum and minimum wages of agricultural labour and artisan and other factors of production according to conditions prevailing in different localities.

(12) The abnormally high prices of jaggery, tobacco and sweet-oil have made them beyond the means of the poor peasantry and artisan class of the villages. These commodities are as necessary for them as the common salt. This house, therefore, solicits the Government's prompt attention in this direction to afford immediate relief to the tillers of the soil.

(13) The abnormal phenomena of heavy showers in the province have levelled the standing crop in the field and corn in the grannery to the ground. In most places complete falure of crops is reported. This House, therefore, urges the Government to grant complete remission and suspension of land revenue in places where-ever necessary. For this purpose official as well as non-official thorough

enquiries be held promotly before Government demand for land reveuue is made.

(14) This House invites the attention of the Government that the agriculturists are greatly handicapped in getting iron for agricultural implements, cart-tyres and axcle and also the corrugated sheets for cattle-shed, etc, This house requests the Government to afford facilities to the agriculturists to this effect.

(15) This house resolves that a deputation consisting of the following members shall wait upon the Advisory Committee of the Consembly to represent the case of the landholders of the province,

(1) Nawab Ghazi Wahiduddin

(2) M. G, Chitnavis

(3) Ganpat Rao Pande

(4) S. H. Karim

(5) K. L. Sonak

(6) R. B. Chande

(16) Further resolved that copies of the resolution be sent to H. E. the Governor, of C. P. and Berar, Hon'ble the premier, and Hon'ble the Revenue Minister of the province and the Deputy Commissioners of the districts for information-

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Shri Jain Swetambar Terapanthi Sabha

DELHI (Branch)

Rukmanand Jaichandlal Bhawan,
Naya Bazar,

No.

Delhi, 23rd Jan. *1947*.

Right Honourable Dr.M.R.Jayakar, M.A.,LL.D.,
D.C.L.,P.C.,
c/o. The Honourable Sir Sobhasingh,
1A Queensway,
New Delhi.

Dear Sir,

Many thanks for your outspoken letter dated 21st January

How can I agree with you when you say that you have no power to help us in any way as you feel that you are not regarded as one of the important men in the Constituent Assembly! You are undoubtedly one of the best Constitutional Advisers in the Country and when the Congress asked Mr.Shantilal Shah to retire in your favour you were no doubt considered as a very important person. Even now the Constituent Assembly people are following up your advice though a bit late. Any how as one of the authors of the Sapru Committee report, your voice will certainly carry weight and will have the desired effect sooner or later.

I saw Acharya Kripalani and Pandit Nehru also. But when I noticed in the papers today that in the Congress Committee Meeting they have decided to give 7 seats to Hindus and 3 to Parsis 7 to Muslims and 6 to Sikhs & so on, we found that they do not want to follow strictly the suggestions given by the Cabinet Mission as contained in the last portion of para 18 and in para 20. I think that if you are convinced that Jains should have a seat then you can point out the claims of important minorities like ours and advocate their cause in the open house and do justice to them. Having entered the Constituent Assembly , do you not think it right to continue

therein and express your views impartially? You can point out that the Congress will not lose anything if they give us a seat in the Advisory Committee.

As regards our invitation to you to see our Acharya Maharaj in the Bikaner State, if you have notime now, may I request you to remember the same to find out some time in future and I can assure hat you will there find an institution the like of which you may not find any-where else. Whenever you find time, kindly let us know and we shall be very glad to welcome you there.

Yours faithfully,

Chhogmal

(Chhogmal Chopra)

President.

HRJ.

CONSTITUENT ASSEMBLY OF INDIA

(Accounts Section)

24

Council House,

No. CA/Accts(138)/TA-47 *New Delhi, the* 12th February '47.

The Manager,
Bank of India, Ltd.,
Fort, Bombay.

Sir,

I have the honour to forward herewith a Bank Draft No. GI/154305 dated 6th February '47 for Rs. 592/- (Rupees Five Hundred and Ninety Two Only) for credit to the account of the Rt. Hon'ble Dr. M.R. Jayakar, Member, Constituent Assembly. The amount represents payment of his t.a. bill for attending the January Session of the Constituent Assembly of India.

I have the honour to be,
Sir,
Your most obedient servant,

Sd/= (S.K. BOSE)
Accounts Officer

Copy forwarded to the Rt. Hon'ble Dr. M.R. JAYAKAR, Member, Constituent Assembly, "ASHRAMA", Winter Road, Malabar Hill, Bombay - for information in continuation of this office endorsement CA/Accts(138)/TA-47 dated 1-2-47.

Bose (12.2.47)

(S.K. Bose)
Accounts Officer.

HS

ALL INDIA CONGRESS COMMITTEE.

(constituent Assembly Section).

Phone : 40358.

6, Jantar Mantar Road,
New Delhi, 3.3.1947.

Dear Friend,

I am enclosing herewith a list of Fundamental Rights & Duties which was prepared for the consideration of the Experts Committee. The Experts Committee however could not meet to consider it. I am sending it to you, as it is, in the hope that you will find it of some interest.

Yours sincerely,

K.R.Krupalani

Secretary.

FUNDAMENTAL RIGHTS AND DUTIES.

1. ~~All citizens irrespective of birth, rank~~, religion or six are equal before the law and are entitled to full protection of personal liberty.

2. No citizen shall be arrested, except in the act of commiting a crime without warrant issued by a magistrate which ought to be shown at the time of arrest or at the latest within twenty-four hours after. Opportunity shall be given without delay to make legal complaint against such arrest.

Upon complaint made by or on behalf of any person who is being unlawfully detained, the High Court and any and every judge thereof shall forthwith inquire into the same and may make an order requiring the person in whose custody such person shall be detained to produce the body of ~~the~~ person so detained before such court or judge without delay and to certify in writing as to the cause of the detention and such court or judge shall thereupon order the release of such person unless satisfied that he is being detained in accordance with the law; provided however that nothing in this article shall be invoked to prohibit, control or interfere with any act of the military forces of the Union during the existence of a state of war or armed rebellion.

3. No pu ishment shall be inflicted for any action unless the action was designated as punishable before it was committed.

4. No citizen shall be handed over to a foreign power for prosecution or punishment.

5. The dwelling of a citizen is inviolable and shall not be forcibly entered except in accordance with law.

6. Every citizen has the right to express his ideas and opinions freely. ~~This~~ right may be limited only by law and solely in the interest of public safety or morality.

7. All citizens are free to assemble peaceably and unarmed and have the right to form associations. These rights may be limited only by law and solely in the interest of public safety and morality.

8. Every citizen has the right to keep and bear arms in accordance with regulations and reservations made by or under Union Law

9. All citizens without distinction are equally eligible for public offices subject to the possession of qualifications prescribed by law or duly constituted authority. The Union and State Governments may make provision for equitable representation of all sections of the population in public services provided there is no unfair discrimination against or undue patronage in favour of any section.

10. Every citizen is free to choose and change his domicile or place of residence within the territories of the Union. This right may be restricted only by Union Law.

11. Nationality in the Union is acquired and terminated in accordance with Union law. Every Indian resident in any State of the Union has the same rights and duties as the subject of that State.

12. No citizen shall be compelled to render personal service without due compensation and without his full consent except labour imposed as a penalty by judicial decree or by law for a public purpose.

13. Neither the Union nor any State of the Union shall establish, endow or patronise any religion or prohibit the free exercise thereof.

14. Every citizen shall have freedom of conscience and the right freely to profess and practise his religion subject to public order and morality.

15. Every religious organisation shall be free to manage its own affairs, be the owner of or acquire

movable or immovable property, administer or dispose of the same, possess or enjoy its revenues and endowments, and maintain institutions for religious, educational or charitable purposes. These rights shall be subject to such restrictions as may be prescribed by law in the interest of public order and morality.

16. The right to propagate religious doctrines and practices not inconsistent with public order and morality and to express views against any such doctrines or practices is guaranteed provided that it is done in a manner not calculated to offend the reasonable susceptibility of persons belonging to any religion or sect.

17. Every person shall be free to change his religious persuasion provided that (a) no one who has not completed the age of 18 shall change his religion without the permission of his parent or guardian, (b) no religious conversion shall be recognised which is brought about by coercion, undue influence or the offering of material inducements, and (c) mass conversions may be regulated by law in the interest of public order and morality.

18. Liberty of the Press is guaranteed subject to such restrictions as may be imposed by law in the interest of public order or morality or to meet a grave emergency.

19. The Press shall not be subject to censorship and shall not be subsidized. No security shall be demanded for the keeping of a Press or the publication of any book or other printed matter.

20. The privacy of correspondence is inviolable and may be infringed only in cases provided by law for the purpose of dealing with a grave emergency.

21. Every citizen has a right to compensation for damage caused by the officials of the Union or a State, whether civil or military, through official action not conforming to law or outside the scope

of their duties. The Union or the State is responsible for the damage caused conjointly with the respective offending officials.

22. It shall be the duty of every State of the Union to provide free and compulsory education for all its citizens up to the age of 14 within a period of not more than 10 years from the commencement of this constitution.

23. It shall be the duty of every State of the Union to ensure for all its citizens within a period of not more than 15 years from the commencement of this constitution useful emplcyment on fair wages and protection and assistance in case of old-age, unemployment, sickness or accident.

24. Workers have the right to form unions to protect their interests

25. No citizen of the Union shall be subject to any special disability o disqualification on the ground of sex. Thi shall not, however, prevent the imposition of restriction on the employment of women in occupations calculated to affect their health or functions of motherhood

26. No title other than a title indicating an office or an academic distinction shall be conferred on any citizen by the Union or any State. No citizen shall accept any title or decoration from a foreign State. All such titles and decorations existing at the commencement of the Union are hereby cancelled.

27. Mem Members of a community within a State of the Union not speaking the language of the State shall not be restricted by way of legislation or administration in the free development of their language and culture.

28. In towns and districts of any State where a considerable proportion of citizens speak a language other than lang.age of the State, facilities shall

be provided within the limits laid down by law to enable the children of such citizens to receive instructions in their own mothertongue. Where any sums of public money are set aside for educational purposes in the State or municipal budgets or otherwise, a due share in the allocation of such sums shall be accorded to such linguistic minorities.

29. Every citizen has the right to choose his business, profession or calling subject to conditions laid down by law for the conduct of such business, profession or calling. Children below the age of 14 shall not be employed in mines and factories.

30. The law shall decide what kinds of property and within what limits may be in the exclusive ownership of the State upon grounds of public utility and also what limitations may be imposed on the rights of citizens and of corporations recognized by law to exploit the land, waters, minerals and other natural resources.

31. Every State shall have the right to regulate, alter or abolish land tenures so as to ensure the productive use of the land and reasonable livelohood for the tiller of the soil.

32. Subject to the above two clauses, the right to property is guaranteed to all citizens, corporations and autonomous bodies and no such right shall be taken away without compensation prescribed by law.

33. It is the duty of every citizen to safeguard and protect public property and to prevent its misuse or misappropriation, not to evade the taxes lawfully imposed and to help in the prevention of such evasion.

~~34. It is the duty of every citizen of the Union to defend~~ the Union and every part thereof and perform military or police duty when called upon to do so by law or constituted authority.

35. All laws, customs and usages existing at the commencement of this constitution which recognizes untouchability or

inferiority by birth of any citizen shall be deemed to have been repealed or abolished to the extent of such recognition.

36. No public authority including a civil or a criminal court shall in carrying out the functions and duties e trusted to it by any law recognize any law, custon or usage imposing a liability or disability on any person on the ground that he belongs to an inferior or impure caste or menial class.

37. Notwithstanding any custom or usage or prescription, all Hindus without any distinction of caste or denomination shall have right of access to and worship in all public Hindu temples, choultries, dharamsalas, bathing ghats, and other religious place. Rules of personal purity and conduct prescribed for admission to and worship in these religious places shall in no way discriminate against or impose any disability on any person on the ground that he belongs to an impure or inferior caste or menial class.

38. It shall be the duty of every State of Union to make a periodic list of all the classes in the State who are specially backward in education or social development, and provide special educational and cultural facilities for their speedy advancement. In the annual budget a reasonable amount will be set apart for this purpose and administered by a special authority whose appointment, powers and functions are defined by law The provision of these facilities shall be in addition to those provided for the community in general to which these classes should have free and equal access.

39. In the settlement, disposal, or aliance of land belonging to any State, the claims of backward classes shall be given preference as far as possible.

40. The aboriginal tribes living in the tribal areas of any State shall be entitled to special protection of their tribal system, their land, their customary life, health and education.

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FREEDOM OF RELIGION.

A paper on what should be the religious freedom in the future Constitution of India.

——— : o : ———

1. India has the unique honour of having shown the greatest tolerance to varying and almost contradicting beliefs and this was allowed to continue under the British rule. Under the Proclamation of Her Majesty Queen Victoria the policy of the British Government was non-interference in religious matters. During the present twentieth century, the power of governing has been made over to the Indians gradually and administration of Religious matters is now entirely in the hands of the Provincial Governments.

2. Now that India is on the threshold of political freedom and is seriously engaged in framing a constitution for the future Government of India and that some provision is being made therein defining the fundamental rights of the citizens, one of which is Religious freedom, it is necessary to pause and review if the administration of Religious matters during the past fifty years has given satisfaction to the parties affected and if not to make such provisions in the draft constitution under consideration that would ensure the enjoyment of absolute freedom in the matter of Religious worship.

3. The first question to be considered in this connection is the relation between Religion and Politics. There are some who view that the two should be entirely separated and that while everyone can participate in the former only those who are interested in a particular form of religion should be allowed to participate in discussing affairs affecting it There are others who think that the two should go together and where their interests clash, Religion should be subordinated to Politics. There are others who state that Religion is more important than Politics which caters only to material benefit There are others who opine that it is impossible to separate Politics from Religion and as both are very important subjects neither of them should have precedence in obstructing the growth of the other and where the two cross each otner a *via media* should be found out. The last course is the safest and should therefore be considered the best course for the future India.

4. The next question would be to review the past administration and assess the effect thereof. Top rank leaders of the Congress have more than once expressed in their public speeches that where Religion and Politics clash, Religion should be subordinated to the general welfare of the country It is this policy which has been given effect to by the various provincial governments wherein the Congress is in the majority and various steps have been taken to enact legislation giving effect to the enforcement of the same. No safeguards have been provided to protect the religious freedom of individuals Though Congress has been crying at the top of its voice that it is for toleration and religious freedom, in practical work, its acts are of the ***greatest intolerance*** ever promulgated in India or in the world for that matter Every one would accept that it is Mahatma Gandhi who has produced the influence the Congress possesses now and that his two favourite themes are ***anti-drink*** and ***anti-untouchability.***

5. Every Religion condemns drink and no one has any complaint to make in respect of that policy. To speak the truth there are some who are of opinion that the steps taken by the Congress Governments are very very mild and that more stringent and effective measures should have been taken long before to eradicate the evil. They even go to the length of suggesting that the drinking habit should be made a penal offence forthwith irrespective of the loss of revenue which could be made up by imposing a poll-tax of one day's earning from every citizen of India.

6. Unfortunately there is a difference of opinion in regard to the second item *viz* untouchability. Mahatma Gandhi is the life of this movement and the other various political leaders have merely followed him. It is admitted by every one that the names of all these sons of India are to be engraved in letters of gold for

the great sacrifice they have made and for the impetus given by them in advancing the political greatness of India. But one should be pardoned for bluntly saying that it is a matter for shame for them to note the way in which they have behaved and are behaving in religious matters They have assumed that they alone have the right to interpret the correct meaning of the Hindu Scriptures and that everyone else should subordinate one's views to the views or policy laid down by them. This is the greatest *injustice and intolerance.* One should be prepared to give the same right to one's opponent No one questions the right of the leaders to say that they do not agree with the orthodox view regarding untouchability But they should give the same right to the orthodox people also to express their views and put them into practice.

7 One great leader in one of his world-wide known writings states that he has no belief in the Ritualistic portion of the Vedas. He should pardon a humble orthodox man if he asks him:—'Revered Sir! What is your experience of Rituals? How were you born and brought up? How many times have you performed your Sandhya? How many hours have you devoted to study or understand the Rituals?" The reply to all these questions would certainly lead one to the conclusion that the leader had no right to come to a conclusion on the subject at all. Unless one has spent a considerable time deeply pondering over a particular subject, one should not come forward to pronounce an opinion on that subject. The right of freedom of speech or expression of opinion could not be taken to mean that anyone can say anything about another. If such a state of things were to be permitted, world cannot get on. What has been stated above of one leader applies with equal force to all the political leaders in the country. With scanty knowledge of Sanskrit and a few hours snatched now and then from their busy life, they have proceeded to decide what Gita teaches or what is the idea behind the teachings of Upanishads, etc. They have also proceeded to legislate on vedic rites like marriage and other kindred matters. They have not paused to think whether they are qualified to come to a conclusion with the small knowledge at their disposal. To add to this, the audience on which the above hastily-drawn conclusions have been foisted is one which has no knowledge on religious matters to enable them to come to a decision. With the advent of the English education, religious instruction has been removed from the school curriculum The modern generation has no knowledge on religious matters and excepting a few here and there who have taken some pains to learn it as a special subject, the rest are ignorant on the subject. To add to this, the Christian Missions were imparting their Philosophy to those who were educated in the institutions under their control. All these have contributed to the modern generation being ignorant of and indifferent to religious matters. It is on the support of these persons that the modern leaders are proceeding to enforce their views on others. Is this the *tolerance* that one should expect in the future Indian Constitution ? *Even the leaders would not hesitate to say "emphatically No".*

8. It is not proposed here to enter into a lengthy discussion on the merits of untouchability as that is not the point for consideration now. According to the modern leaders, Gita and other sacred books do not sanction untouchability while the orthodox school views that there is definite distinction between the different castes and that the incidence of caste by birth cannot be removed within the same life Neither party could prove its statement as it is a thing which cannot be demonstrated by visual means Neither party should object to the preaching of contradictory views and it is not correct for one party having power to restrict the other from practising what it considers correct and necessary for the salvation of its members. The modern leaders do not appear to have considered the famous saying—

नास्ति चेत् नास्तिको हानिः ।
अस्ति चेत् नास्तिको हतः ॥

One says there is no God; another says there is God. What should the common man do? The wise course for him would be to follow him who says there is God. For if there is no God, there is no harm in one believing there is God. But if there is God, and one believes that there is no God, then the latter would be punished.

9. Many of the modern people, without pausing to think deeply, merely remark 'How can there be untouchability by birth?' The answer to this question is:

'How is one born blind or deaf or dumb ?' The reason for both is that it is one's previous *Karma* Another serious defect in the modern leaders is that they have not cared to treat the Gita or other sacred books as a complete-whole but have taken only such portions as would support their own views When one book is relied upon as authority, its value should not be deteriorated by something said to the contrary at another place in the same book.

10. There is a lot of force behind the argument that the views of individuals or groups should be subordinated when they interfere with the benefit of the country at large But such sacrifices are only to be made in respect of material things. Religious beliefs are not commodities to be bartered in that way Incidentally this question raises another Has humanity at large been benefited in any sense by the so-called advancement of material happiness during the past fifty years to secure which every nation has been vying with each other ? It has to be admitted that the reply is *Cetainly not*. Rather this spirit of rivalry has been the cause of both the recent World Wars that have caused the loss of so many precious lives and a vast amount of property. So, if we pause a little, we must admit that it is not fair to call upon any group to sacrifice its principles or beliefs in quest of a fleeting or imaginary prosperity.

11. Now let us examine an off-shoot of untouchability viz. Temple Entry. Here also the leaders have made a serious mistake in interpreting the word 'public' Temples have been stated to be public institutions and as such they have proceeded to argue, they should be open to every one. There are two arguments against this One is, temple is not a public place and the second is, even in public places, one has to observe certain rules and customs relating to that particular place or institution If temples were treated as public places, every one be he a Hindu, a Christian, a Muslim or a Parsee, should have a right to enter Temples were never intended as meeting places They were for a specific purpose and any one who does not go there for that purpose or who interferes with that purpose is a trespasser and even permissive legislation made under a mistaken belief that temple is a public place, like a road etc, would be another example of *intolerance in the name of tolerance* Temples are stated to be public or common only to such persons as are of the same opinion or belief and conform to a particular mode of worship in all its details The Church is a public place and the Christians go there with their shoes on but remove their hats Supposing one goes there with his hat on and when objected to, retorts 'Why should I remove my hat ? Will God run away or refuse to listen to my prayer when He listens to your prayers with your shoes on ?" Would this be tolerated ? Again take a Mosque. When the leading Maulana is repeating a particular portion from the Holy Koran, can a Christian enter with shoes on as is his custom when he enters his place of worship ? The reply is 'No. Can a Muslim himself repeat some other portion of the Holy Koran ? No So also in the Hindu Temples, persons entering should conform to certain practices and those who do not observe them have no right to enter such a place Even in secular public institutions as a Library, Reading room, etc, one desirous of availing of the benefits of the institution should abide by the rules prevalent in respect of that place. He cannot assume his right as an individual, stating 'I do not think that this restriction or rule is correct' and proceed to give effect to it. So also in Hindu Temples where the worship, etc are conducted with meticulous routine. Any one who is not prepared to follow the same has no right, on the assumed ground that it is a public place, to try to remove or interfere with the custom etc. Temples are therefore really private places wherein certain persons of the same belief and agreeable to certain outward form of worship congregate to perform worship instead of doing it individually at their houses A member of a choir has no right to sing as he pleased except in agreement with the rest So also in the Temples. If one's presence is objected to on some grounds, one should quietly get out and not insist on one's rights. The above mode of treatment has not been accorded by the Congress Governments. They decided that untouchability was a crime and proceeded to legislate on that assumption without considering whether such legislation affects a similar right of opinion claimed by others. This is certainly not *Tolerance*.

12. To enable persons holding divergent views on religious matters to practise them and live happily and peacefully with their neighbours, it is necessary that both the parties affected should adopt a policy of give and take and should not resort

to crush the minority by mere numerical strength. Such a method or policy has been adopted in the matter of music before mosques, traffic in the streets and requiring pedestrians and cyclists to follow particular routes, thereby depriving them of the right to use the public road in any manner they liked. So also in these controversial matters, it is necessary for both parties to agree to differ and mutually adjust that in certain places the minority shall have right to practise what the majority does not approve It the present practice of indirectly forcing the minority to abide by the decision of the majority were allowed to continue, in a few years the great heritage of religious knowledge stored during centuries of deep meditation and experience would be lost for ever. Owing to the defect of having no knowledge about religion, its philosphy and metaphysics, modern people have very greatly erred in coming to the conclusion that the same clash with modern science. A careful study of both would clearly prove that the advancement in Science has not proved even a single Vedic Truth as incorrect. The future of India and the happiness of the whole world would be greatly increased if the modern leaders give up their prejudice, arrange to teach the Vedas and kindred Sastras in the orthodox way and then enable the public to come to a decision on religious matters. One should know the view-point of the opponent before deciding on it. One cannot assume the right both to *accuse and give judgment*. One cannot practice this method and still call it *Tolerance*.

13 Let us proceed one step further and examine the motive behind the Temple Entry agitation which is one of the most important planks of the Congress propaganda. Is this resorted to merely to assert an imagined or self-assumed right of entry in every public place ? Or is it a real fervour for performing religious worship in that place ? The first appears to be the major reason for it is found that in the temples that have been thrown open to the Harijans, very few have cared to follow it up by daily worship It is not denied that there are a few amongst them who have a real desire to perform worship in the temples They should answer the question "Do they desire to go to the temple on the ground that it is a secluded place where one can concentrate ? Or do they desire to go into the Temple because they believe that it is a sacred place where the deity installed by Vedic rites has divine powers ?" If it is the former only, they should have no objection to have a similar place provided for them where their presence is not objected to by others. If the latter, one has to enquire the reason for such a belief. The answer should be that the Sastras say so. In that case, one has to see what the same Sastras say in respect of entry into the place One cannot rely on one portion and deny the other portion. If one does so, one would become the laughing stock of the whole world, like Kamsa of Sri Bhagavat Purana. An Asariri predicted that he would be killed by the eighth-born child of his sister. Kamsa should have believed the prediction in toto and bowed to the inevitable death predicted by it or disbelieved the whole and kept quiet. But he believed in a portion that the child would be his destroyer and disbelieving the other portion, viz predicted death, foolishly hoped to prevent it by his acts, thereby causing the death of a large number of innocent children.

14. Restrictions in temples are not confined only to Harijans There are so many other restrictions Even the Brahmins are prevented from entering the temples on certain days as when they are polluted and they are also precluded from entering the Holy of Holies. It is of no use retorting that these restrictions were imposed on an unwary public by the 'scheming' Brahmins. It is impossible to prove this This is only an assumption of the modern reformers in support of their pet theory Granting for argument's sake, that this was so, one is debarred from interfering from a right or privilege one has acquired by long years of enjoyment on the sole ground that it does not appeal to the sense of justice or what is considered to be right or wrong by some one else, however large such numbers might be. Law has agreed that even an usurper should be deemed as the lawful owner of a property which he has been enjoying for a number of years. No reason has been shown by the modern reformers as to why such a right should be trampled under the heels in respect of religious matters According to the sastric belief, the sanctity of a temple would become ineffective if unauthorised persons enter the temples. They consider that there are two aspects or aids to religious worship and one is physical purity and the other mental purity and that both are essential They consider that their physical purity would be affected by the close proximity of unauthorised persons. The modern generation may not care to subscribe to the above They are welcome to it. They can go one step further and laugh at it. But they have no right to interfere or

proceed by legislative help to prevent others from enjoying the rights or beliefs the others have been enjoying for a long time To interfere with the right of another and to dispossess him of such a right require undisputed right of the other to do so In the absence of such a right, if they do so, it is nothing but ***rank communism and the most unbearable intolerance***. But still the modern leaders who boast of their spirit of ***tolerance*** and who condemn the religious groups of intolerance, have proceeded to legislate and thus compel others to subscribe to their view. The only course open to the present generation if they are out to pursue a ***just policy of protecting the rights*** of the minority would be to influence the minority by persuasive methods to change their views. If they are unable to do so, they should not interfere with such institutions or groups of people. The present method of passing legislative acts by an Assembly wherein the orthodox view is almost unrepresented is not correct.

15. From the above review, which it is sure that everyone would accept as a very fair presentaion of the whole case, it would be seen that the policy followed by the Provincial Governments in respect of untouchability has not been fair, even though from a legal point as interpreted by the modern-educationised public and judges it may be stated to be right It is therefore necessary that in the contemplated Constitution of India, the fundamental rights of religious freedom should be so defined as to make it specifically clear that the State would not and should not legislate in matters affecting in any way the religious beliefs etc of any group or section even though it might be a very very negligible minority as by such interference the freedom of religious worship which is the inherent right of every citizen would be not only affected but practically nullified.

16. It is necessary in the interests of *justice, fairness and freedom of thought* that *Religious freedom* or *freedom of religious worship* should be defined in the Fundamental Rights of the proposed Constitution as—

> *The right of an individual or group of individuals to declare a book or number of books as sacred—to interpret the same in accordance with their traditions—to observe any mode or custom of worship—to do any act or acts considered by them as necessary to propagate the above—to expect from the STATE full protection from interference by any including the State in any manner whatsoever, so long as the above do not interfere in any way with the religious observances of others—and to agree to interference by the State only when there is a clash of interests of two or more groups and when mutual agreeement was not possible, and then too, only to such an extent as would be absolutely necessary to limit the sphere of operation of the clashing interests after giving due and full consideration to previous practice and other relevant matters.*

Dharmarajya Press, Delhi.

No. CA/10/Ser/47.
CONSTITUENT ASSEMBLY OF INDIA.

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Council House,
New Delhi, the 1st April, 1947.

From
H.V.R. Iengar, Esq., C.I.E., I.C.S.,
Secretary

To
All Members of the Constituent Assembly of India.

Subject:- Travel and other facilities for members of the Constituent Assembly

---

Sir/Madam,

As was arranged during the previous sessions of the Constituent Assembly, Messrs Govan Brothers will act, in respect of the ensuing session commencing on 28.4.47, as our travel agents for the purchase of tickets, reservation of accommodation in trains and air services, etc.

2. They will also, if desired, receive members at the Railway Station or Air Ports at Delhi and provide transport from the station to the place of residence and vice versa; arrange sight-seeing trips and provide transport for other purposes in Delhi.

For performing the duties mentioned above in Delhi, they will station a trained man a few days before the Assembly session starts, and till a few days after the session adjourns, at Constitution House (where the bulk of the members are expected to stay) in order to be in direct touch with the members and the management of Constitution House.

They will not make any extra charges for these services. Members will only have to pay the actual cost of the transport provided.

3. Members who desire to avail themselves of the facilities mentioned above are advised to contact in good time the Head Office of Messrs. Govan Brothers, Ltd , or any of their branch offices at the addresses given below, so that arrangements for their travel, reception, etc may be made well in advance:-

NEW DELHI	Messrs. Govan Bros.,Ltd., Passage Deptt., Head Office, Scindia House, Connaught Circus. Telegrams: 'GOVBRO' Telephone: 7682.
MADRAS	Messrs. Govan Bros.Ltd., Passage Deptt. Bharat Buildings, Mount Road. Telegrams: 'GOBROS' Telephone: 3745.
BOMBAY	The American Express Company, Inc., Travel Deptt., "Navsari Building",(I Floor),240, Hornby Road, Post Box No. 507. Telegrams: "AMEXCO". Telephone: 25295.
CALCUTTA ...	The American Express Company, Inc., Travel Deptt., P.O.Box No. 2311, "Pollock House", 28, Pollock Street. Telegrams: "AMEXCO" Telephone: 2096.

p.t.o.

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KARACHI	The American Express Co., Inc., Travel Deptt., P.O.Box No. 533, "Oriental Building", McLeod Road. Telegrams: "AMEXCO" Telephone: 3461.
LAHORE	Messrs. Govan Bros.,Ltd., 3, Sir Ganga Ram Trust Building, The Mall. Telegrams: "GEOFMANCO" Telephone: 2988.

4. The Railway Department (Railway Board) have suggested that it would facilitate the work of the various Railway Administrations if the authorities concerned are given advance notice for the reservation of accommodation on railways, and that if any difficulty is experienced in securing accommodation, the matter should at once be reported to the General Manager of the Railway concerned in the first instance, instead of through the office of the Constituent Assembly or the Railway Board. This will eliminate delay and permit prompt action being taken to remedy defects.

5. The Railway Administrations have been asked by the Railway Board to extend in your favour the period in advance of the actual date of travel within which tickets may be purchased to 30 days, so as to enable you to secure early reservation.

I have the honour to be,
Sir/Madam,
Your most obedient servant,

(H.V.R. IENGAR)
Secretary

G/1/4/47-450 copies.

CONSTITUENT ASSEMBLY OF INDIA

STATISTICAL HAND BOOK No. 1

THE POPULATION OF INDIA ACCORDING TO COMMUNITIES

BASED ON THE 1941 CENSUS

1947

PRINTED BY THE MANAGER GOVERNMENT
OF INDIA PRESS NEW DELHI, INDIA: 1947

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In Part I "Other Hindus" include "Caste not returned" shown separately for the Bengal Province.

No. CA/1/RR/Stats/47. BY REGISTERED POST.

CONSTITUENT ASSEMBLY OF INDIA.

Council House,
New Delhi, the 2nd April, 1947.

From:-
H.V.R. Iengar, Esq., C.I.E., I.C.S.,
Secretary.

To
1. All members of the Constituent Assembly.
2. Members of the various Sub-Committees who are not members of Constituent Assembly.

SUB: STATISTICAL HAND BOOK NO.1.

Sir,

I enclose herewith for your use a copy of Statistical Hand Book No.1 prepared in this office containing in a handy form the population figures for British India and Indian States arranged according to communities.

I have the honour to be,
Sir,
Your most obedient servant,

(H.V.R. Iengar),
Secretary.

Encl.1.

JAIN/1.4.47
500 copies.

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POPULATION OF INDIA ACCORDING TO COMMUNITIES
PART I—INDIA—BRITISH INDIA AND STATES

Serial No.	Name of Territory	Area in Sq. Miles	HINDUS		Muslims	Indian Christians	Anglo-Indians	Parsees	Sikhs	Jains	Buddhists	Tribes	Others	Total Population
			Scheduled Castes	Others										
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
1.	INDIA	1,581,410	48,813,180	206,117,326	92,058,096 (a)	6,040,665	140,422	114,890	5,691,447	1,449,286	232,003	25,441,489	567,819	386,666,623(b)
2.	STATES AND AGENCIES	715,964	8,892,373	55,227,180	12,659,593 (c)	1,794,959	28,486	12,922	1,526,350	870,914	64,590	8,728,233	54,301	90,857,901(d)
3.	PROVINCES .	865,446	39,920,807	150,890,146	79,398,503	3,245,706	113,936	101,968	4,165,097	578,372	167,413	16,713,256	513,518	295,808,722

NOTE.—According to the extended operations into the trans-border areas of N. W. F. Province the totals will in some cases be slightly different as indicated below :—

(a) 94,389,428 (b) 388,997,955 (c) 14,990,925 (d) 93,189,233

POPULATION OF INDIA ACCORDING TO COMMUNITIES
BRITISH INDIA—PART II—PROVINCES AND DISTRICTS

Name of Province or District	Area in Sq. Miles	HINDUS		Muslims	Indian Christians	Anglo-Indians	Parsees	Sikhs	Jains	Buddhists	Tribes	Others	Total Population
		Scheduled Castes	Others										
1	2	3	4	5	6	7	8	9	10	11	12	13	14
MADRAS PROVINCE													
British Territory	**126,166**	**8,068,492**	**34,731,330**	**3,896,452**	**2,001,082**	**28,661**	**369**	**418**	**30,136**	**1,072**	**562,029**	**21,769**	**49,341,810**
Vizagapatam	9,107	376,339	3,130,885	29,122	20,503	1,006	13	2	50	4	286,923	1,097	3,845,944
Agency	*3,116*	*20,282*	*59,393*	*407*	*632*	..	..	..	.	..	*140,721*	*2*	*221,437*
Plains	*5,991*	*356,057*	*3,071,492*	*28,715*	*19,871*	*1,006*	*13*	*2*	*50*	*4*	*146,202*	*1,095*	*3,624,507*
Godavari East	6,322	435,000	1,552,415	32,801	39,117	634	9	18	195	4	101,582	138	2,161,868
Agency	*3,675*	*32,172*	*131,903*	*3,410*	*6,878*	*1*	..	..	..	..	*97,200*	*5*	*271,569*
Plains	*2,647*	*402,828*	*1,420,512*	*29,391*	*32,239*	*633*	*9*	*18*	*195*	*4*	*4,332*	*133*	*1,890,294*
Godavari West	2,434	273,988	989,193	29,728	83,271	5		.	11	16	1,999	1,877	1,380,088
Kistna	3,469	211,327	1,020,885	76,722	134,434	213	..	1	77	160	345	130	1,444,294
Guntur	5,795	165,625	1,631,631	183,298	293,768	66	14	11	106	5	2,246	513	2,277,283
Nellore	7,942	290,542	1,125,636	120,004	80,246	398	..	.	45	28	15	112	1,617,028
Cuddapah	5,923	132,512	730,984	147,258	45,635	11	1	6	67		19	34	1,056,507
Kurnool	7,634	150,883	723,406	173,157	92,818	15	..		7	..	5,878	86	1,146,250
Bellary	5,714	155,026	772,044	112,705	9,191	174	8	.	1,319	70	548	150	1,051,225
Anantapur	6,734	173,441	870,676	118,435	7,296	512	..	8	999	..	4	48	1,171,419
Madras	30	103,338	517,711	95,702	45,760	9,610	187	66	1,828	213	2	3,064	777,481
Chingleput	3,074	567,177	1,166,103	43,306	42,404	2,816	13	78	952	97	39	970	1,823,955
Chittoor	5,951	303,225	1,217,506	97,000	13,908	136	6	1	17	6		590	1,632,395
North Arcot	4,671	502,097	1,849,419	174,317	41,341	701	3	10	9,121	306	..	225	2,577,540
Salem	7,073	435,700	2,329,358	79,016	24,352	365	1	9	37	2	6	380	2,869,226
Coimbatore	7,121	444,593	2,207,400	73,169	68,593	1,716	32	77	140	27	12,440	1,461	2,809,648
South Arcot	4,205	734,404	1,716,117	84,118	67,661	652	1	8	4,731	11		1,050	2,608,753
Tanjore	3,738	608,197	1,690,810	170,414	90,419	306		12	608	28	213	2,368	2,563,375
Trichinopoly	4,329	421,340	1,568,863	91,668	108,805	3,082	..	13	84	..	24	212	2,194,091
Madura	4,883	411,793	1,831,605	106,788	94,302	998	3	13	40	12	6	1,041	2,446,601
Ramnad	4,851	309,424	1,427,405	143,344	99,273	68	3	27	19	19	..	61	1,979,643
Tinnevelly	4,342	356,771	1,477,482	144,950	262,909	818	2	1	1	20	161	1,428	2,244,543
Nilgiris	989	48,373	54,393	17,561	21,019	1,809	26	37	194	17	62,951	3,329	209,709
Malabar	5,790	359,021	2,119,632	1,337,760	75,052	2,468	30	14	618	25	34,366	439	3,929,425
South Kanara	4,045	98,356	1,009,791	214,109	139,005	82	17	6	8,870	2	52,312	966	1,523,516

British Territory	**76,443**	**1,855,148**	**14,700,242**	**1,920,368**	**338,812**	**14,034**	**86,270**	**8,011**	**266,231**	**1,433**	**1,614,298**	**44,993**	**20,849,840**
Bombay City	**30**	**121,352**	**899,398**	**251,318**	**78,149**	**8,797**	**59,813**	**2,410**	**33,281**	**912**	**4,606**	**29,847**	**1,489,883**
Northern Division	**14,068**	**356,108**	**3,254,686**	**561,038**	**123,683**	**1,663**	**19,965**	**1,854**	**79,670**	**33**	**874,103**	**3,790**	**5,276,593**
Ahmedabad	3,879	150,628	970,177	178,531	11,345	124	1,885	980	48,896	11	8,730	864	1,372,171
Ahmedabad City	*20*	*74,071*	*352,427*	*116,301*	*8,437*	*114*	*1,814*	*825*	*30,935*	*11*	*5,744*	*558*	*591,267*
Broach & Panch Mahals	3,198	52,313	444,294	143,839	7,642	260	2,092	156	5,167		268,617	156	924,527
Khaira	1,617	47,847	735,962	89,176	30,220	1	63	50	6,270	..	5,161	207	914,957
Surat	1,695	43,196	416,611	76,251	3,016	93	9,500	45	11,595	12	320,575	164	881,058
Thana	3,526	43,893	545,811	43,950	35,905	309	2,481	247	2,452	3	257,130	552	932,733
Bombay Suburban	153	18,231	141,831	29,300	35,555	876	3,944	376	5,290	7	13,890	1,847	251,147
Central Division	**37,296**	**927,946**	**5,875,413**	**535,654**	**88,426**	**2,914**	**5,904**	**3,668**	**81,994**	**54**	**687,328**	**7,597**	**8,197,885**
Ahmednagar	6,646	120,876	851,907	61,332	50,692	71	129	258	15,370	2	41,146	446	1,142,289
East Khandesh	4,598	137,110	967,899	148,542	1,680	589	307	121	10,070		61,054	350	1,327,722
West Khandesh	5,320	54,008	444,106	48,324	2,847	2	137	78	5,470	..	357,719	23	912,214
Nasik	5,922	119,277	741,450	68,333	5,386	760	836	342	8,799	1	167,280	1,427	1,118,901
Poona	5,347	163,541	1,051,792	70,986	19,746	1,235	3,681	2,774	14,200	22	36,835	4,596	1,359,403
Satara	4,891	175,309	1,076,730	49,590	5,155	60	478	27	13,273	2	1,014	611	1,327,249
Sholapur	4,572	167,825	741,529	88,547	3,420	197	336	68	9,812	27	2,780	134	1,014,670
Southern Division	**25,049**	**449,742**	**4,670,745**	**572,358**	**48,554**	**660**	**588**	**84**	**71,286**	**434**	**67,761**	**3,759**	**5,335,971**
Belgaum	4,527	111,810	936,744	110,223	9,393	130	114	29	53,431	..	1,674	1,830	1,225,423
Bijapur	5,704	92,496	755,287	122,640	1,343	..	24	2	3,125	57	1,008	..	975,982
Dharwar	4,576	66,948	931,234	179,104	10,479	456	198	21	10,677	377	1,414	108	1,201,016
Kanara	3,961	14,463	371,266	35,200	18,715	63	8	..	1,232		197	13	441,157
Kolaba	2,212	44,777	524,523	33,330	1,003	1	233	28	1,154		62,170	1,703	668,922
Ratnagiri	4,069	119,248	1,151,691	91,861	7,621	10	11	4	1,617		1,298	105	1,273,466

Name of Province or District	Area in Sq. miles	HINDUS			Muslims	Indian Christians	Anglo-Indians	Parsees	Sikhs	Jains	Buddhists	Tribes	Others	Total Population
		Scheduled castes	Caste not returned	Others										
1	2	3	4		6	7	8	9	10	11	12	13	14	15
BENGAL PROVINCE														
British Territory	77,442	7,378,970	6,895,417	10,784,637	33,005,434	110,923	31,619	2,519	16,281	11,126	146,560	1,889,389	33,650	60,306,525
Burdwan Division	14,135	1,535,038	2,199,079	4,091,068	1,429,500	10,211	6,876	231	4,664	954	185	706,729	2,834	10,287,369
Burdwan	2,705	430,300	351,677	611,843	336,665	3,280	2,377	12	1,438	615	77	151,355	1,093	1,890,732
Birbhum	1,743	280,254	101,834	304,348	287,310	344	28		77	13	13	74,084	12	1,048,317
Bankura	2,646	355,290	94,662	628,607	55,564	1,216	4		15	6	5	154,246	25	1,289,640
Midnapur	5,274	339,066	984,960	1,357,937	246,559	3,834	2,043	34	1,956	100	37	253,625	496	3,190,647
Hoogly	1,206	245,810	227,025	626,709	207,077	543	184	22	342	90	25	69,500	402	1,377,729
Howrah	561	184,318	438,921	561,624	296,325	994	2,240	163	836	130	28	3,919	806	1,490,304
Presidency Division	16,402	1,694,897	2,367,433	2,620,887	5,711,354	52,992	21,043	1,957	10,175	7,994	3,839	99,235	25,281	12,817,087
24-Parganas	3,696	743,397	785,030	781,569	1,148,180	20,823	859	521	1,653	30	566	51,085	2,673	3,536,386
Calcutta	34	55,228	998,044	478,240	497,535	16,431	20,141	1,430	8,456	689	3,239	1,688	21,776	2,108,891
Nadia	2,879	143,682	114,100	400,168	1,078,007	10,749	21	4	48	32	15	12,671	349	1,759,846
Murshidabad	2,063	167,184	153,051	364,752	927,747	394	17	2	3	1,217	4	26,138	21	1,640,530
Jessore	2,925	314,856	130,922	275,301	1,100,713	1,057			10	25	2	4,978	352	1,828,216
Khulna	4,805	470,550	186,286	320,857	959,172	3,538			5	1	13	2,675	116	1,943,218
Rajshahi Division	19,642	1,576,524	603,441	1,493,844	7,528,117	9,228	1,569	218	431	1,628	45,190	776,729	3,546	12,049,465
Rajshahi	2,526	75,650	93,028	160,552	1,173,285	1,166	9	4	14	159	4	67,298	581	1,571,750
Dinajpur	3,953	399,410	43,630	331,582	967,246	1,448	100	42	48	375	16	182,892	44	1,926,833
Jalpaiguri	3,050	325,504	71,125	155,018	251,460	2,589	40	...	182	62	2,570	279,296	1,667	1,089,513
Darjeeling	1,192	28,922	17,718	131,856	9,125	2,599	1,109	28	54	54	42,575	141,301	1,028	376,369
Rangpur	3,606	495,462	64,903	242,484	2,055,186	389	245	106	96	583	12	18,200	181	2,877,847
Bogra	1,475	61,303	46,148	80,081	1,057,902	286	39	2	...	305	...	14,387	10	1,260,463
Pabna	1,836	114,738	87,540	181,477	1,313,968	285	24	36	18	45	3	6,906	32	1,705,072
Malda	2,004	75,535	179,349	210,794	699,945	466	3	...	19	45	10	66,449	3	1,232,618
Dacca Division	15,498	1,705,744	1,344,569	1,571,324	11,944,172	37,074	379	75	166	529	13,747	65,398	587	16,663,714
Dacca	2,738	409,905	454,280	495,947	2,841,261	15,846	314	3	73	84	108	4,029	293	4,222,143
Mymensingh	6,156	340,676	373,333	582,629	4,664,548	2,322	24	2	68	304	5	59,722	125	6,023,758
Faridpur	2,821	527,496	270,668	208,074	1,871,336	9,549	10	70	22	141	27	1,363	47	2,888,803
Bakarganj	3,783	427,667	246,288	284,674	2,567,027	9,357	31	...	3		13,607	284	72	3,549,010
Chittagong Division	11,765	366,767	380,895	1,007,514	6,392,291	1,418	1,752	38	845	21	33,599	241,298	1,452	8,477,899
Tippera	2,531	227,643	171,778	480,539	2,975,901	428	114	2	100	10	2,039	1,524	61	3,860,139
Noakhali	1,658	81,817	57,314	273,130	1,803,937	535	318	...	...	5	301	34	11	2,217,402
Chittagong	2,569	57,024	150,832	250,218	1,605,183	395	1,320	36	467	5	30,105	6,348	1,363	2,153,296
Chittagong Hill Tracts	5,007	283	971	3,627	7,270	60		...	278	1	1,154	233,392	17	247,053

Name of Province or District	Area in Sq. Miles	HINDUS: Scheduled Castes	HINDUS: Others	Muslims	Indian Christians	Anglo Indians	Parsees	Sikhs	Jains	Buddhists	Tribes	Others	Total Population.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
UNITED PROVINCES													
British Territory	106,247	11,717,158	34,094,511	8,416,308	131,327	13,383	1,375	232,445	102,768	5,478	289,422	16,442	55,020,617
AGRA PROVINCE	82,176	8,018,803	25,889,857	6,231,062	120,549	11,905	1,193	226,096	100,764	2,245	289,244	14,429	40,906,147
Meerut Division	9,220	1,122,536	2,998,534	1,433,434	20,254	3,296	156	84,882	46,990	390	70	5,909	5,716,451
Dehradun	1,202	29,126	184,521	41,426	2,795	696	85	5,156	1,066	135		1,238	266,244
Saharánpur	2,134	281,559	473,737	396,287	2,294	392	31	18,201	6,549	12		581	1,179,643
Muzaffarnagar	1,682	197,688	529,634	307,519	3,659	26	6	8,438	9,783	...		6	1,056,759
Meerut	2,323	355,503	1,036,251	444,383	10,286	1,560	29	24,279	20,725	231	...	3,335	1,896,582
Bulandshahr	1,889	158,660	774,391	243,819	1,220	622	5	28,808	8,867	12	70	749	1,317,223
Agra Division	8,646	1,021,944	3,584,805	619,479	32,276	2,794	142	33,393	30,374	361	79	1,121	5,326,766
Aligarh	1,940	286,739	865,071	186,381	11,994	1,533	108	16,416	4,234	141	1	23	1,372,641
Muttra	1,447	157,873	563,394	79,218	2,478	69	7	1,777	1,801	..		375	806,992
Agra	1,861	263,802	801,539	199,787	2,505	974	9	3,512	16,925	16		702	1,289,774
Mainpuri	1,679	155,255	663,431	44,659	4,740	16	14	478	3,920	77	..	11	872,601
Etah	1,719	158,275	691,370	109,434	10,556	202	4	11,210	3,494	127	78	10	984,760
Rohilkhand Division	10,865	914,217	3,409,391	1,726,363	42,694	901	62	90,811	8,687	956	57	1,857	6,195,998
Bareilly	1,591	150,904	671,626	334,285	7,003	170	1	6,513	5,027	35	28	605	1,176,197
Bijnor	1,869	156,218	398,333	337,126	1,569	8	...	15,647	1,249	...	11	62	910,223
Budaun	1,994	180,163	742,137	210,168	15,863	...	1	13,650	208	130	...	2	1,162,322
Moradabad	2,288	200,933	633,451	567,358	15,478	565	55	52,561	1,585	3	17	1,145	1,473,151
Shahjahanpur	1,770	161,615	643,714	173,878	1,421	153	5	1,945	606	8	1	39	983,385
Pilibhit	1,353	64,384	320,130	103,548	1,360	5		495	12	780		4	490,718
Allahabad Division	10,102	1,337,450	3,891,377	735,545	12,392	2,469	381	9,327	4,127	97	19,139	2,559	6,014,813
Farrukhabad	1,642	154,269	673,373	122,407	3,259	77	3	1,090	545	16	47	91	955,377
Etawah	1,669	221,661	601,826	53,234	1,454	41	12	2,829	1,979	...	143	85	883,264
Cawnpore	2,372	342,648	999,931	201,392	4,219	535	196	4,106	945	39	1,083	1,153	1,556,247
Fatehpur	1,621	175,364	532,264	98,629	253	21	...	46	102	17	241	7	806,944
Allahabad	2,798	443,508	1,083,783	259,883	3,207	1,795	120	1,256	556	25	17,625	1,223	1,812,981
Jhansi Division	10,553	658,829	1,698,908	153,263	2,509	743	284	1,133	9,889	25	26,439	1,470	2,553,492
Jhansi	3,606	195,899	507,294	42,575	1,939	682	284	953	9,548	25	12,494	1,309	773,002
Jalaun	1,591	137,584	307,052	31,137	111	7		2	76		6,361	54	482,384
Hamirpur	2,443	155,262	374,641	37,461	283	42		151	32		7,584	82	575,538
Banda	2,913	170,084	509,921	42,090	176	12		27	233			25	722,568
Benares Division	9,460	1,018,378	3,906,749	468,624	3,839	635	182	4,080	549	80	141,661	980	5,545,857
Benares	1,094	188,869	868,792	136,129	1,387	421	175	785	341	53	21,152	525	1,218,629
Mirzapur	4,322	255,915	545,158	51,506	522	171	...	3,070	114	4	43,383	86	899,929
Jaunpur	1,555	287,118	975,056	121,556	161	13	7	64	75	1	3,353	35	1,387,439
Ghazipur	1,306	173,432	700,044	89,586	473	30		33	8	22	21,641	110	985,380
Ballia	1,183	113,043	817,699	69,847	796			128	11	...	52,132	224	1,053,880

NAME OF PROVINCE OR DISTRICT	Area in Sq. Miles	HINDUS		Muslims	Indian Christians	Anglo-Indians	Parsees	Sikhs	Jains	Budhists	Tribes	Others	Total Population
		Scheduled Castes	Others										
1	2	3	4		6	7	8	9	10	11	12	13	14
Gorakhpur Division	**9,563**	**1,646,311**	**5,180,817**	**1,038,637**	**2,904**	**331**	**26**	**1,022**	**70**	**25**	**101,746**	**219**	**7,972,108**
Gorakhpur	4,524	735,538	2,695,116	430,333	2,403	313	24	518	38	1	99,076	214	3,963,574
Basti	2,822	469,256	1,328,390	387,598	186	6	...	90	5	22	83	5	2,185,641
Azamgarh	2,217	441,517	1,157,311	220,706	315	12	2	414	27	2	2,587		1,822,893
Kumaon Division	**13,757**	**299,138**	**1,219,276**	**55,717**	**4,181**	**736**	**10**	**1,448**	**78**	**311**	**53**	**314**	**1,581,992**
Naini Tal	2,627	62,396	179,261	46,949	1,628	83	9	1,195	49	104		187	291,851
Almora	5,502	140,023	541,447	3,548	1,681	331	1	66	3	117	...	69	687,236
Garhwal	5,628	96,719	498,568	5,220	872	322		187	26	90	53	58	602,115
OUDH PROVINCE	**24,071**	**3,698,355**	**8,204,654**	**2,185,246**	**10,778**	**1,478**	**182**	**6,349**	**2,004**	**3,233**	**178**	**2,013**	**14,114,479**
Lucknow Division	**12,002**	**1,977,081**	**3,596,371**	**938,371**	**7,548**	**1,344**	**154**	**4,642**	**1,029**	**2,473**	**7**	**1,912**	**6,530,932**
Lucknow	976	254,101	462,808	220,022	5,704	1,233	150	2,896	751	250	7	1,806	949,728
Unao	1,762	285,110	583,546	90,665	106			86	14	12		3	959,542
Rae Bareli	1,765	320,418	639,711	102,278	79	1		69	36	2,211		1	1,064,804
Sitapur	2,207	412,561	667,138	212,419	449	49	...	667	221			50	1,293,554
Hardoi	2,320	395,265	696,976	146,259	462	56	1	202	7			51	1,239,279
Kheri	2,972	309,626	546,192	166,728	748	5	3	722				1	1,024,025
Fyzabad Division	**12,069**	**1,721,274**	**4,608,283**	**1,246,875**	**3,230**	**134**	**28**	**1,707**	**975**	**760**	**171**	**101**	**7,583,888**
Fyzabad	1,710	323,575	837,909	157,070	274	11	9	96	7	294	157	23	1,319,425
Gonda	2,827	311,518	1,078,950	327,866	563	35	12	201	10	456		33	1,719,464
Bahraich	2,654	233,311	722,767	283,107	116	74	...	1,171	16	...	...	7	1,240,569
Sultanpur	1,699	270,950	691,025	138,170	130	2	7	44	12	10	14	4	1,100,368
Partabgarh	1,457	240,216	670,896	127,837	2,005	11		19	30			10	1,041,024
Bara Banki	1,722	341,704	606,736	212,825	142	1		176	900			24	1,162,508
PUNJAB PROVINCE													
British Territory	**99,089**	**1,248,635**	**6,301,737**	**16,217,242**	**486,038**	**5,891**	**4,327**	**3,757,401**	**38,233**	**247**		**359,063**	**28,418,819**
Ambala Division	**14,750**	**647,609**	**2,451,874**	**1,318,136**	**10,341**	**859**	**62**	**240,296**	**21,554**	**151**		**4,589**	**4,696,462**
Hissar	5,213	128,074	524,602	285,208	1,235	21	4	60,731	6,126			708	1,006,709
Rohtak	2,246	135,103	645,371	166,569	1,026	5	...	1,466	6,847			12	956,399
Gurgaon	2,234	119,211	441,287	285,992	1,457	195	4	637	2,613			62	851,458
Karnal	3,126	136,448	529,588	304,346	1,223	19	3	19,887	2,789			272	994,575
Ambala	1,851	121,681	288,652	268,999	4,892	474	48	156,543	3,065	...		3,245	847,745
Simla	80	7,092	22,374	7,022	508	145	3	1,032	114	146		281	38,576
										5			

Jullundur Division	18,992	332,002	1,618,800	1,877,742	25,274	319	3,926	1,322,405	5,574	6	252,525	5,488,881	
Kangra	9,979	112,570	725,909	43,249	590	30	3,890	4,809	101	8	8,221	899,377	
Hoshiarpur	2,195	54,388	413,837	380,759	6,060	22	...	198,194	1,125		115,938	1,170,323	
Jullundur	1,334	41,581	156,579	509,804	5,971	37	7	298,741	1,395		113,075	1,127,190	
Ludhiana	1,399	60,432	106,246	302,482	1,632	27	1	341,175	1,279	...	8,341	818,615	
Ferozepore	4,085	63,031	216,229	641,448	11,031	203	28	479,486	1,674	1	9,945	1,423,976	
Lahore Division	12,203	176,057	1,025,005	4,199,658	337,489	2,235	178	1,442,006	8,803	35	26,535	7,218,001	
Lahore	2,595	32,347	252,004	1,027,772	67,686	1,038	136	310,646	1,951	32	1,763	1,695,375	
Amritsar	1,572	22,051	194,727	657,695	25,330	27	21	510,845	1,911		1,269	1,413,876	
Gurdaspur	1,846	38,257	244,935	589,923	50,262	851	6	221,261	25	...	7,991	1,153,511	
Sialkot	1,576	65,149	165,965	739,218	73,846	263	14	139,409	3,250	3	3,382	1,190,497	
Gujranwala	2,311	7,257	100,630	642,706	60,380	11		99,139	1,445		666	912,234	
Sheikhupura	2,303	10,996	66,744	542,344	59,985	45	1	160,706	221		11,466	852,508	
Rawalpindi Division	21,381	19,807	394,863	4,020,141	22,851	2,061	74	234,071	1,555	24	5,511	4,700,958	
Gujrat	2,266	4,631	80,022	945,609	4,391	52		70,233	10	...	14	1,104,952	
Shahpur	4,770	8,299	92,479	835,918	12,690	41	...	48,046	13	2	1,503	998,921	
Jhelum	2,774	762	40,117	563,033	730	75	3	24,680	159	2	97	629,658	
Rawalpindi	2,022	4,218	78,245	628,193	4,212	1,819	67	64,127	1,337	13	3,000	785,231	
Attock	4,148	996	42,194	611,128	504	48	3	20,120	13	7	862	675,875	
Mianwali	5,401	981	61,806	436,260	324	26	1	6,865	23		35	506,321	
Multan Division	31,763	73,160	811,195	4,801,565	90,073	417	87	518,623	747	28	69,922	6,365,817	
Montgomery	4,204	23,672	167,510	918,564	24,101	42	4	175,064	49	3	20,094	1,329,103	
Lyallpur	3,522	26,358	135,937	877,518	51,694	109	6	262,737	35	2	41,909	1,396,305	
Jhang	3,415	1,845	127,946	678,736	744	5	...	12,238	5		112	821,631	
Multan	5,653	17,645	225,342	1,157,911	13,270	219	77	61,628	552	...	7,589	1,484,333	
Muzaffargarh	5,605	2,595	87,952	616,074	218	8		5,882	...	23	97	712,849	
Dera Ghazi Khan	9,364	1,045	66,348	512,678	46	34		1,072	106		21	581,350	
Biloch Trans-frontier tract			160	40,084				2				40,246	
BIHAR PROVINCE													
British Territory	69,745	4,340,379	22,173,890	4,716,314	24,693	5,963	547	13,213	4,602	654	5,055,647	4,219	36,340,151
Patna Division	11,368	1,127,888	5,125,194	704,892	3,131	1,184	150	1,737	1,437	67	300,004	766	7,265,959
Patna	2,164	333,302	1,576,450	235,201	1,267	1,002	133	879	441	42	12,722	569	2,162,006
Gaya	4,766	444,394	1,777,909	293,347	697	138	11	117	516	14	258,032	186	2,775,361
Shahabad	4,408	349,692	1,770,835	176,344	1,167	44	6	741	480	11	29,250	11	2,328,581
Tirhut Division	12,594	1,697,773	8,533,832	1,680,758	4,810	222	29	424	146	114	41,378	341	11,959,827
Saran	2,669	309,189	2,168,681	363,692	212	11	...	81	88	93	18,314	176	2,860,537
Champaran	3,553	362,095	1,607,244	404,434	3,559	50	14	29	30	3	20,086	25	2,397,569
Muzaffarpur	3,025	503,659	2,313,193	424,797	635	105	14	130	10	4	1,996	108	3,244,651
Darbhanga	3,347	522,830	2,444,714	487,835	404	56	1	184	18	14	982	32	3,457,070
Bhagalpur Division	18,701	1,094,458	5,318,407	1,782,820	4,710	980	18	1,043	1,277	14	1,393,041	1,257	9,596,025
Monghyr	3,975	411,638	1,832,932	264,411	617	618	1	161	228	6	53,421	511	2,564,544
Bhagalpur	4,248	338,777	1,683,989	279,525	1,119	40	12	65	372	6	104,879	95	2,408,879
Purnea	4,998	217,114	1,090,249	976,048	465	123	2	767	375	...	104,856	106	2,390,105
Santal Parganas	5,480	126,929	711,237	262,836	2,509	199	3	50	302	2	1,129,885	545	2,234,497

rs	Muslims	Indian Christians	Anglo-Indians	Parsees	Sikhs	Jains	Buddhists	Tribes	Others	Total Population
	5	6	7	8	9	10	11	12	13	14
57	547,844	12,042	3,577	350	10,009	1,742	489	3,321,224	1,855	7,516,249
5	77,721	839	458	18	124	135	42	1,173,142	434	1,675,413
8	209,384	1,651	185	10	913	899	96	478,253	333	1,751,339
2	85,272	434	9	...	74	72	...	323,106	21	912,734
1	132,234	4,495	1,633	11	668	501	6	678,126	571	2,038,146
1	43,233	4,623	1,292	311	8,230	135	245	668,597	496	1,144,717
3	783,697	48,260	4,538	2,014	14,996	84,593	70	2,937,364	6,056	16,813,584
8	448,528	42,135	4,335	1,730	12,766	62,546	63	2,663,959	5,552	13,208,718
0	213,442	14,624	2,164	495	9,916	43,214	44	789,355	2,652	3,691,112
	43,044	2,128	283	57	322	27,389	12	82,107	295	939,068
	67,158	5,989	1,534	269	3,875	8,223	26	166,958	2,065	910,603
	7,066	816	109	...	125	700	...	304,099	8	504,580
	35,868	1,876	200	66	510	4,700	6	123,621	229	823,585
	60,306	3,815	38	103	5,084	2,202		112,570	55	513,276
	153,501	9,996	1,365	1,163	1,692	13,490	15	854,939	2,597	3,924,985
	8,280	850	52	8	142	1,377		168,229	33	438,342
	42,552	1,830	96	42	314	4,184		395,781	90	1,034,040
	20,714	345	6	25	41	3,109	...	51,848	19	519,330
	66,545	5,411	1,192	1,053	1,082	3,916	15	66,471	2,415	1,059,989
	15,410	1,560	19	35	113	904		172,610	40	873,284
	81,585	17,515	806	72	1,158	5,842	4	1,019,365	303	5,592,621
	17,755	544	36	1	144	820		115,173	27	963,225
	12,470	967	9	16	96	1,259	...	138,693	14	634,350
	22,627	8,163	46	39	583	1,858	3	273,260	60	1,516,686
	20,695	5,552	707	15	311	492	1	287,680	179	1,549,509
	8,038	2,289	8	1	24	1,413		204,859	23	928,851
	335,169	6,125	203	284	2,230	22,047	7	273,405	504	3,604,993
	98,865	3,164	131	139	181	5,222	5	63,210	327	988,524
	101,886	1,185	14	95	1,041	7,585		30,456	97	907,742
	78,629	1,062	55	34	610	5,550	...	19,849	45	820,862
	55,789	714	3	16	398	3,690	2	159,890	35	887,738

ASSAM PROVINCE													
British Territory	**54,951**	**676,291**	**3,536,932**	**3,442,479**	**37,750**	**634**	**2**	**3,464**	**6,639**	**8,144**	**2,464,996**	**7,402**	**10,204,732**
Surma Valley & Hill Division	**24,124**	**416,601**	**978,113**	**2,127,254**	**6,463**	**293**		**314**	**373**	**232**	**683,546**	**5,686**	**4,218,875**
Cachar	3,862	51,961	173,855	232,950	3,744	36		37	30	38	178,264	266	641,181
Sylhet	5,478	364,510	785,004	1,892,117	2,590	209		25	243	23	69,907	1,974	3,116,602
Khasi & Jaintia Hills (British)	2,353	63	12,676	1,555	120	33		232		148	103,567	271	118,665
Naga Hills	4,289	45	4,153	531	9	..		17	94	5	184,766	21	189,641
Lushai Hills	8,142	22	2,425	101		15		3	6	18	147,042	3,154	152,786
Assam Valley Division	**26,947**	**255,715**	**2,541,700**	**1,314,300**	**30,778**	**336**	**2**	**3,122**	**6,255**	**7,673**	**1,757,664**	**1,683**	**5,919,228**
Goalpara	3,969	23,434	282,789	468,924	269	1	..	42	406	412	237,993	15	1,014,285
Kamrup	3,840	59,092	637,457	367,522	1,038	85	2	38	603	391	197,926	46	1,264,200
Darrang	2,804	19,475	328,283	120,995	6,367	3		62	52	531	260,748	275	736,791
Nowgong	3,898	59,214	229,137	250,113	4,049	56		931	692	31	166,525	52	710,800
Sibsagar	5,128	50,184	593,007	51,769	15,268	110		413	91	2,751	360,768	380	1,074,741
Lakhimpur	4,156	43,527	457,509	44,579	3,786	74		1,635	4,410	3,198	335,230	894	894,842
Garo Hills	3,152	789	13,518	10,398	1	7		1	1	359	198,474	21	223,566
Sadiya Frontier Tract	*3,309*	*3,901*	*14,605*	*864*	*486*	*5*		*26*	*7*	*225*	*39,974*	*25*	*60,118*
Balipara Frontier Tract	*571*	*74*	*2,514*	*61*	*23*			*2*	*4*	*14*	*3,812*	*8*	*6,512*
N. W. F. PROVINCE													
British Territory	**14,263**		**180,321**	**2,788,797**	**5,426**	**837**	**24**	**57,939**	**1**	**25**		**4,697**	**3,038,067**
Hazara	3,000		30,267	756,004	314	74	..	9,220		2		349	796,230
Mardan	1,098		10,677	483,575	376	28	..	11,838		..		45	506,539
Peshawar	1,547		51,212	769,589	3,397	343	24	24,030		18		3,220	851,833
Kohat	2,707		17,527	266,224	596	24		4,349				684	289,404
Bannu	1,695		31,471	257,648	467	134		6,112	..	..		98	295,930
Dera Ismail Khan	* 4,216		39,167	255,757	276	234		2,390	1	5		301	298,131
ORISSA													
British Territory	**32,198**	**1,238,171**	**5,594,535**	**146,301**	**26,584**	**789**	**13**	**232**	**139**	**454**	**1,721,006**	**320**	**8,728,544**
Cuttuck	4,571	453,308	1,846,260	72,562	3,079	352	5	48	36	418	55,280	79	2,431,427
Balasore	2,194	185,434	776,603	35,924	1,642	20	6	12	..	5	29,757	27	1,029,430
Puri	2,451	163,203	881,383	26,119	1,312	283	..	17	12	21	29,555	34	1,101,939
Sambalpur	5,419	166,526	773,151	5,210	5,286	110	2	125	69	2	232,095	46	1,182,622
Ganjam	7,688	244,404	1,168,200	3,941	4,921	13		2		8	433,687	88	1,855,264
Ganjam Plains	3,315	235,234	1,091,246	3,749	2,209	13		2		8	59,658	69	1,392,188
Ganjam Agency	4,373	9,170	76,954	192	2,712	..		..	..		374,029	19	463,076
Koraput	9,875	25,296	148,938	2,545	10,344	11		28	22		940,632	46	1,127,862

* Includes its tribal areas, Larga, Shirani and Ustrana.

Name of Province or District	Area in Sq. Miles	HINDUS: Scheduled Castes	HINDUS: Others	Muslims	Indian Christians	Anglo-Indians	Parsees	Sikhs	Jains	Buddhists	Tribes	Others	Total Population
1	2	3	4	5	6	7	8	9	10	11	12	13	14
SIND PROVINCE													
British Territory	**48,136**	**191,634**	**1,038,292**	**3,208,325**	**13,232**	**2,731**	**3,838**	**31,011**	**3,687**	**111**	**36,819**	**5,328**	**4,535,008**
Dadu	7,270	975	57,397	329,991	74	88	24	630	43		154	4	389,380
Hyderabad (Sind)	4,476	41,107	204,742	507,620	490	49	30	3,669	217	..	769	55	758,748
Karachi	8,357	17,496	205,101	457,035	11,310	2,381	3,721	7,589	3,215	111	884	5,057	713,900
Larkana	2,857	2,074	88,988	418,543	49	..		1,549			..	5	511,208
Nawabshah	3,908	21,057	119,371	436,414	212	14	..	5,778			1,326	6	584,178
Sukkur	5,550	12,809	182,649	491,634	277	193	59	4,696	..		51	188	692,556
Thar Parkar	13,649	94,064	153,432	292,025	800	4	4	6,815	212		33,635	13	581,004
Upper Sind Frontier	1,969	2,052	26,612	275,063	20	2		285				..	304,034
AJMER-MERWARA	2,400		376,481	89,899	5,783 (a)				18,827		91,472	1,231	583,693
ANDAMANS & NICOBARS	3,143		8,427	8,005	1,032	100		744		2,903	11,076	1,481	33,768
Andamans	2,508		8,420	7,738	1,028	98		744		2,818	..	470	21,316
Nicobars	635	..	7	267	4	2				85	11,076	1,011	12,452
BALUCHISTAN PROVINCE													
British Territory	**54,456**	**5,102**	**39,521**	**438,930**	**2,633**	**263**		**11,918**				**3,264**	**501,631**
Quetta-Pishin	5,310	3,527	25,102	113,288	2,296	182		3,787				3,107	156,289
Loralai	7,375	239	2,890	79,278	118	1		1,124				40	83,685
Zhob	10,478	320	3,966	55,987	78	3		1,076				69	61,499
Bolan	407	183	767	4,812	22	33		184				8	6,009
Chagai	19,429	107	1,097	27,864	1	..		181				..	29,250
Sibi	11,457	726	5,699	157,706	118	44		566				40	164,899
DELHI	574	122,693	444,532	304,971	10,494	3,408	284	16,157	11,287	150		3,963	917,939
COORG	1,593	25,740	105,013	14,730	3,309	80	12		34	33	19,723	52	168,726

(a) Includes Anglo-Indians and other Christians as no separate figures are avilable.

PART III—STATES

Serial No.	Name of State	Area in Sq. Miles	HINDUS: Scheduled Castes	HINDUS: Others	Muslims	Indian Christians	Anglo-Indians	Sikhs	Parsees	Jains	Buddhists	Tribes	Others	Total Population
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	ASSAM STATES:	12,408	265	327,462	31,662	25,913	136	381		201	173	339,137	325	725,655
1	Manipur	8,620		303,636	29,562	25,727	5	80		201	42	152,805	11	512,069
	KHASI HILL STATES:	3,788	265	23,826	2,100	186	131	301			131	186,332	314	213,586
2	Bhawal	Not Available												
3	Cherra	"												
4	Khyrim	"												
5	Langrin	"												
6	Maharam	"												
7	Malaisohmat	"												
8	Mawiang	"												
9	Mawsynram	"												
10	Mariaw	"												
11	Mylliem	"												
12	Nobosohphoh	"												
13	Nongkhlaw	"												
14	Nongspung	"												
15	Nongstoin													
16	Rambrai													

Figures for individual states not available.
Totals for the whole group are given above.

	BALUCHISTAN STATES:	79,546	65	9,706	346,251	40		126					16	356,204
17	Kalat	53,995	56	7,915	245,208	31		79						
18	Las Bela	7,043	9	1,692	67,310	9		47					16	253,305
19	Kharan	18,508		99	33,733									69,067
														33,832
	BARODA & GUJRAT STATES:	16,729	285,998	2,670,857	281,610	13,397	179	748	8,052	52,406	46	1,000,099	320	4,313,712
20	Baroda	8,235	230,794	1,963,450	223,610	9,182	150	566	6,930	46,866	46	373,207	209	2,855,010
21	Balasinor	195	4,428	49,624	6,110	326			2	117		543	1	61,151
22	Bansda	212	1,642	5,843	1,069	32	...	...	240	129		45,780	...	54,735
23	Baria	810	4,007	106,278	3,123	211	1	6	24	96		75,304	12	189,062
24	Cambay	392	9,152	70,594	12,304	830	...	...	48	3,494		169	1	96,592
25	Chhota Udaipur	894	4,588	114,218	4,366	202	2	56	81	175		38,488	1	162,177
26	Dharampur	719	1,266	21,976	1,666	17			143	54		98,193	11	123,326
27	Jawhar	308	1,510	13,198	650	15		...	43	17		49,692	1	66,126
28	Lunawada	419	7,598	91,862	5,646	20	...	6	4	182		...	...	105,318
29	Rajpipla	1,515	7,774	55,174	9,279	1,451	3	103	297	563		174,343	45	249,032
30	Sachin	49	1,537	15,212	3,028	30	22	...	144	96		6,139	23	26,231
31	Surgana	131	41	16,621	154	...		2	24	9		1,440	1	18,292
32	Sant	390	2,956	32,931	2,521	94		5	13	94		55,636	7	94,257

Serial No.	NAME OF STATE	Area in Sq. Miles	HINDUS		Muslims	Indians Christians	Anglo Indians	Sikhs	Parsees	Jains	Buddhists	Tribes	Others	Total Population
			Scheduled Caste	Others										
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	DANGS	667	48	10,913	95	377	1	1	33			29,022	8	40,498
33	Amala	119.77												
34	Avehar	7·88												
35	Bilbari	1·65												
36	Chinchli Gaded	27·23												
37	Derbhavti	76·25												
38	Gadvi	170·82												
39	Jhari Ghar-Khadi	8·17	Figrures for individual states not available.											
40	Kirli	21	Totals for the whole group are given above.											
41	Palasvihir	2·02												
42	Pimpri	72·94												
43	Pimpladevi	3·44												
44	Shivbara	4·99												
45	Vadhyawan	4·90												
46	Vasurna	132·14												
	SANKHEDA MEWAS	338	4,337	27,544	4,871	6			10	247		39,152		76,167
47	Alwa	5												
48	Bhilodia	9												
49	Bihora	1.75												
50	Chorangla	16												
51	Chudesar	2.50												
52	Dhamasia *alias* Vanmala	10.50												
53	Dudhpur	1.75												
54	Jiral Kamsoli	5 5												
55	Nalia	1	Figures for Individual states not available.											
56	Nangam	3												
57	Pan Talavdi	5	Totals for the whole group are given above.											
58	Rampura	4.50												
59	Rangan	4												
60	Sindhiapura	4												
61	Vasvan Sevada	12.50												
62	Vasvan Virpur	12.50												
63	Virampura	1												
64	Vóda	5												
	REST OF THE AGENCY	454	4,320	75,419	3,118	604	3		16	267		12,991		96,738
65	Pethapur	11												
66	Agar	17												
67	Amarapur	2												
68	Anghad	4.25												
69	Bhadarwa	27												
70	Chhaliar	11												
71	Dhari	3.75												
72	Dodka	3												
73	Gad-Boriad	128												
74	Gotardi	3												
75	Gothda	4												
76	Itwad	6												
77	Jambughoda	143												
78	Jesar	1.5												

79	Jumkha	1												
80	Kadana	132												
81	Kanoda	3.75												
82	Kasla Paginu Muwada	1												
83	Mandwa	16.50												
84	Moka Paginu Muwada	1												
85	Movli	5												
86	Nahara	3												
87	Naswadi	19.50												
88	Palsani	12												
89	Pandu	9												
90	Poicha	3.75	Figures for individual states not available.											
91	Ratka	3												
92	Rajpur	1.50	Totals for the whole group are given above.											
93	Sanjeli	34												
94	Shanor	11.25												
95	Sihora	15.50												
96	Uchad	8.50												
97	Umeta	24												
98	Vajiria	21												
99	Vakhtapur	1·50												
100	Varnolmal	3.5												
101	Varnol Moti	2												
102	Varnol Nani	1												
103	BHUTAN	*18,000												*300,000 (*1931 Census)
	CENTRAL INDIA STATES.													
	BHOPAL AGENCY	**10,088**	**295,950**	**780,632**	**149,102**	**795**	**421**	**62**	**90,92**	**1**	**95,602**	**74**	**1,331,782**	
104	Bhopal	6,921	187,294	409,960	109,870	491	329	62	6,307	1	70,969	39	785,322	
105	Dewas (Senior)	449	18,698	58,402	8,854	207	36		816	...	2,322	17	89,352	
106	Dewas (Junior)	419	14,752	52,783	10,157	44	15		702	...	5,208	8	83,669	
107	Khilchipur	274	7,460	38,364	1,271	3	3		7	...	1,534		48,642	
108	Kurwai	142	7,481	16,881	3,971	23			584	...	604		22,544	
109	Makrai	151	2,481	7,835	851	2			49	...	3,138		14,367	
110	Muhammadgarh	45	667	1,456	550	...	...		93	...	122	...	2,888	
111	Narsingarh	731	26,931	85,542	5,376	14	12		292	...	7,007	4	125,178	
112	Pathari	30	1,304	1,993	618	1	3		43	...	209	...	4,171	
113	Rajgarh	926	28,882	107,416	7,584	10	23		199	...	4,489	6	148,609	
	BUNDELKHAND AGENCY	**11,679**	**395,593**	**1,15,7326**	**55,154**	**367**	**157**		**11,591**	...	**1,08,612**	**86**	**1,728,886**	
114	Ajaigarh	788	20,962	61,630	2,773	...	2		772	...	10,457		96,596	
115	Alipura	73	4,876	11,628	1,116	44			71	...			17,735	
116	Banka Pahari	5	484	669	48	...			40	...		...	1,241	
117	Baoni (Kadaura)	122	7,638	14,464	3,096	29			3	...	24	2	25,256	
118	Beraundha (Patharkachhar)	228	2,555	11,649	111					...	2,991		17,306	
119	Beri	32	1,515	3,357	220					...	...		5,092	
120	Bhaisaunda	32	1,023	3,937	40					...	147	...	5,147	
121	Bihat	16	1,164	3,089	110					...	...	1	4,365	
122	Bijawar	980	29,126	82,575	2,685	10	1		1,532	...	5,061		120,990	
123	Bijna	7	657	1,000	80	...	...		5	...	...	...	1,742	
124	Charkahari	785	31,997	84,217	5,665	3	9		257	...	1,443	3	123,594	
125	Chhatarpur	1,170	49,955	122,551	7,222	192	78		535	...	4,136	51	184,720	
126	Datia	845	45,594	120,705	6,700	21	21		214	...	812	5	174,072	
127	Dhurwai	12	947	1,442	34					...			2,423	
128	Garrauli	39	1,717	3,934	176	...				...			5,827	
129	Gaurihar	72	2,741	7,544	190	6				...	...		10,481	
130	Jaso	72	1,778	6,124	120				8	...	697		8,727	
131	Jigni	22	828	3,690	227					...			4,745	
132	Kamta Rajaula	13	190	1,221	...					...	...		1,411	
133	Kothi	166	4,135	15,826	377					...	4,438	...	24,778	
134	Lugasi	45	1,995	5,631	125	...	...		1	...	...	...	7,752	
135	Maihar	412	10,059	50,869	24,72	3	6		25	...	16,123	1	79,553	

Serial No.	NAME OF STATE	Area in Sq. Miles	HINDUS: Scheduled Castes	HINDUS: Others	Muslims	Indian Christians	Anglo-Indians	Sikhs	Parsees	Jains	Buddhists	Tribes	Others	Total Population
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
136	Nagod (Unchehra)	532	13,581	61,729	2,369	3		11		49		10,169		87,911
137	Naigawan Rebai	12	863	1,917	107	...		...		1		...	...	2,888
138	Orchha (Tikamgarh)	1,999	87,145	246,070	8,850	18		5		5,916		15,382	19	363,405
139	Pahra (Chaubepur)	27	776	2,895	151			...				240		4,062
140	Paldeo (Nayagaon)	52	1,900	7,572	99	...		2		...		247	...	9,820
141	Panna	2,580	44,271	149,706	5,228	38		13		2,063		29,850	1	231,170
142	Samthar	189	10,856	24,167	2,795			4		19		438	...	38,279
143	Sarila	35	2,209	4,737	301			2		...		...	1	7,250
144	Sohawal	231	9,352	33,851	1,263			3		25		5,939	2	50,435
145	Taraon (Pathraundi)	26	842	2,919	66			...		...	...	14	...	3,841
146	Tori-Fatehpur	27	1,862	4,011	338			...		54	1	4		6,269
	INDORE AGENCY	22,764	2,37,919	2,519,104	1,65,231	3,944	433	1,938	776	20,020	1	3,83,910	1,135	3,334,411
147	Indore	9,934	237,919	840,608	126,187	3,804	326	1,870	770	18,778	1	282,602	1,101	1,513,966
148	Rewa	12,830		1,678,496	39,044	140	107	68	6	1,242		101,308	34	1,820,445
	MALWA AGENCY	7,315	94,027	3,59,457	69,781	2,476		191		16,134	...	5,41,063	292	1,083,451
149	Alirajpur	849	2,785	5,459	2,692	715		...		169		100,927	7	112,754
150	Barwani	1,189	16,665	45,370	8,387	109		41		717		105,367	10	176,666
151	Dhar	1,798	24,732	113,864	17,974	283		80		3,274		92,982	21	253,210
152	Jaora	601	22,253	68,112	19,523	120		...		2,409		4,521	15	116,953
153	Jahbua	1,265	2,757	20,338	2,660	83		11		2,212		150,250	16	178,327
154	Jobat	131	389	1,330	697	238		5		27		18,249	10	20,945
155	Kathiwara	68	113	818	158			...				5,600		6,689
156	Mathwar	138	54	370	50	...		...		...		3,415		3,889
157	Piploda	66	1,866	7,467	688	13		9		483		1,052		11,578
158	Ratanmal	32	975	320	21	...		...		...		1,318	...	2,634
159	Ratlam	687	11,976	55,026	13,756	855		44		5,235		39,013	212	126,117
160	Sailana	300	3,615	17,161	1,308	11		...		842		17,290	1	40,228
161	Sitamau	191	5,847	23,852	1,867	49		1		766		1,079		33,461
	EASTERN STATES BENGAL STATES AGENCY(a)	9,468	2,69,729	6,95,687	3,72,113	564	8	28	11	582	7,736	7,51,022	23	2,144,829
162	Cooch-Behar(b)	1,318	206,448	185,841	242,684	187	...	...		582	1	2,435	5	640,842
163	Tripura(c)	4,116	11,986	291,099	123,570	316	1	3	...		7,724	33,633	11	512,010
164	Mayurbhanj	4,034	51,295	218,747	5,859	61	7	25	11		11	714,954	7	990,977
	CHHATTISGARH STATES AGENCY	37,687	4,83,132	I705,470	28,773	11,820	325	507	28	21,58	11	1,817,712	64	4,050,000
165	Chhangbhakar	899	669	5,939	53	7		...		...	...	14,598	...	21,266
166	Bastar	13,701	46,114	103,846	2,032	2,681		97		132	9	478,970	7	633,388
167	Chhuikhadan	153	3,533	24,187	883	4	...	...		128	...	3,996	...	32,731
168	Jashpur	1,955	6,711	51,060	1,982	30	4	5		...	...	163,811	9	223,612
169	Kalahandi (Karond)	3,559	117,958	289,491	735	199	1	49		76	...	189,430	1	597,940
170	Kanker	1,413	4,981	46,117	760	33		...	...	78	...	97,502		149,471
171	Kawardha	794	5,513	56,949	1,093	23	...	29	1	163	...	13,513	...	77,284
172	Khairagarh	931	8,112	140,096	2,608	139	285	8	2	262	...	22,164	37	173,713
173	Korea	1,647	10,389	56,522	3,328	16	11	42	14	22	...	56,530	...	126,874
174	Nandgaon	872	18,920	140,397	2,837	538	...	3	2	765	...	39,506	5	202,973
175	Patna	2,530	109,137	384,626	1,297	7,680	21	59	...	451	...	128,945	4	632,220
176	Raigarh	1,444	73,388	137,997	2,210	101	1	142	9	81	...	98,713	1	312,643
177	Sakti	137	14,418	25,743	448	8		4			...	13,896		54,617
178	Sarangarh	540	36,580	103,374	353	344		4			...	130		140,785
179	Surguja	6,067	23,057	110,121	7,826	4	...	59			2	410,683		551,752
180	Udaipur	1,045	3,652	29,005	328	13	2	6			...	85,325		118,331

	[illegible]ENCY	18,171	382,088	1,788,335	14,355	2,249	58	155	2	99	1,424	864,915	52	3,022,783	
181	Athgarh	163	6,550	41,387	261	358		9			39	6,894		55,498	
182	Athmallik	723	9,398	48,806	108	4	...	...	...		...	14,449		72,765	
183	Bamra	1,974	22,991	80,810	290	958	2	...	...		...	73,226		178,277	
184	Baramba	143	5,435	42,167	235	16		...	...		959	4,112		52,924	
185	Baudh	1,156	24,472	98,898	174	17		...	...		1	22,613		146,175	
186	Bonai	1,280	10,468	25,122	191	249		...	...		1	56,507		92,538	
187	Daspalla	556	8,263	34,821	59	13		...			...	10,677	...	53,833	
188	Dhenkanal	1,428	50,834	227,632	875	27	...	7	...		...	44,832	5	324,212	
189	Gangpur	2,477	7,608	87,707	4,433	106	31	15	2		...	298,235	34	398,171	
190	Hindol	291	8,411	46,397	116	3	...	...			...	3,578	...	58,505	
191	Keonjhar	3,206	71,029	306,033	1,639	195	21	10			...	150,857	2	529,788	
192	Khandpara	229	7,938	75,620	100	3		2			...	3,678		87,341	
193	Kharsawan	157	1,103	19,088	1,013	12		10			...	29,354		50,580	
194	Narsinghpur	204	6,398	39,732	152	7	...	2			...	2,157	...	48,448	
195	Nayagarh	562	23,097	129,606	828	35	2	22			...	7,818	1	161,409	
196	Nilgiri	263	16,598	43,642	54	111						12,704		73,109	
197	Pal-Lahara	450	4,840	18,034	18	2						11,236		34,130	
198	Rairakhol	857	4,493	24,813	40	2						8,837		38,185	
199	Ranpur	204	4,091	43,947	441	1		...				2,886		51,366	
200	Seraikela	466	2,922	69,547	1,873	29		34		...		80,437		154,844	
201	Sonepur	948	39,950	194,610	575	26		9		99	...	13,604	...	248,873	
202	Talchar	388	13,243	68,111	282	73		35			5	4,673	10	86,432	
203	Tigiria	46	1,956	21,805	598	2					419	1,551		26,331	
	GWALIOR RESIDENCY	27,869	156,386	3,973,109	515,099	4,633	110	3,073	194	53,461	21	248,470	197	4,954,753	
204	Gwalior	26,008	..	3,463,310	240,903	1,352	107	2,342	193	52,714	7	245,066	165	4,006,159	
205	Khaniadhana	101	3,459	15,557	571		...	...	...	537		...		20,124	
206	Benares	866	95,894	313,364	38,167	36	3	560	...	...	...	3,404	...	451,428	
207	Rampur	894	57,033	180,878	235,458	3,245		171	1	210	14		32	477,042	
	HYDERABAD RESIDENCY														
208	Hyderabad (Deccan)	82,313	2,923,040	10,382,005	2,097,475	215,980	3,660	5,330	1,974	24,853	115	678,149	953	16,338,534	
	KASHMIR RESIDENCY														
209	Kashmir & Jammu	82,258	113,464	694,085	3,073,540*	3,079	7	65,903	29	910	40,698	29,374	529	4,021,616	
210	Hunza	6,848	Figures for individual states not available.												
211	Nagir	1,245	Totals for the whole group are given above.												
	KOLHAPUR RESIDENCY AND DECCAN STATES AGENCY	10,870	306,898	2,185,132	182,036	17,236	96	22	26	84,226	9	8,678	1,096	2,785,128	
212	Kolhapur	3,219	132,792	850,882	49,615	7,031	6	9	4	51,492	3	184	28	1,092,046	
213	Akalkot	473	19,133	69,037	15,037	10			...	664		22	...	103,903	
214	Aundh	488	9,826	74,435	4,000	12			...	423		26	1	88,723	
215	Bhor	910	15,056	132,232	1,917	26		4	6	253		6,172	295	155,961	
216	Jamkhandi	522	11,325	97,473	14,696	289			...	2,489		...	...	126,272	
217	Janjira	326	8,997	74,582	17,096	22		1	4	179	...	2,112	564	103,557	
218	Jath	972	17,288	82,548	6,847	4	1		...	324	6	17	1	107,036	
219	Kurundwad (Senior)	200	4,482	38,805	5,390	156			...	3,698		19	2	52,552	
220	Kurundwad (Junior)	126	3,932	34,209	5,364	231	...		...	2,867		6	...	46,609	
221	Miraj (Senior)	368	11,617	77,601	13,055	1,384	89		12	4,607		18	164	108,547	
222	Miraj (Junior)	194	5,632	36,401	2,858	86			...	1,313		...	5	46,295	
223	Mudhol	350	7,654	59,183	5,453	3			...	136		16	2	72,447	
224	Phaltan	391	10,032	58,267	1,909	86			...	1,160		17	2	71,473	
225	Ramdurg	166	2,329	34,242	3,501	6		...	...	36		...	...	40,114	
226	Sangli	1,146	29,358	226,369	22,103	1,111		8	...	14,380		45	5	293,381	
227	Savanur	70	1,069	13,475	7,836	8			...	52		...		22,440	
228	Sawantwadi	937	15,959	223,880	5,303	6,771			...	113		24		252,050	
229	Wadi (Estate)	12	417	1,511	54				...	40				2,022	

* Total population of these states include the following classified as caste not returned (a) 47, 326 (b) 2, 659 (c) 44, 667

Serial No.	Name of State	Area in Sq. Miles	HINDUS		Muslims	Indian Christians	Anglo-Indians	Sikhs	Parsees	Jains	Buddhists	Tribes	Others	Total Population
			Scheduled Castes	Others										
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	MADRAS STATES AGENCY	**10,340**	**607,101**	**4,234,326**	**560,313**	**2,377,142**	**11,104**	**45**	**35**	**417**	**23**	**137,865**	**2,870**	**7,931,241**
230	Cochin	1,493	141,154	755,796	109,188	399,394	9,858	9	34	355	6	5,183	1,898	1,422,875
231	Pudukottai	1,185	69,995	332,083	16,975	19,257	22	5	...	...	1	...	10	436,348
232	Travancore	7,662	395,952	3,146,447	434,150	1,958,491	1,224	31	1	62	16	132,682	962	6,070,018
	MYSORE AGENCY	**29,875**	**1,418,806**	**5,313,348**	**498,518**	**100,129**	**8,943**	**269**	**401**	**32,879**	**1,409**	**9,413**	**5431**	**7,389,546**
233	Banganapalle	259	9,527	22,973	10,543	1,533	8	...	...	...	...	8	...	44,592
234	Mysore	29,458	1,405,067	5,281,563	485,280	98,580	8,929	269	401	32,858	1,409	9,405	5,429	7,329,140
235	Sandur	158	4,212	8,812	2,745	16	6	...		21			2	15,814
	NORTH-WEST FRONTIER	**9,010**		**1344**	**643,477**			**377**						**645,198**
236	Amb	174		433	47,288			195			...			47,916
237	Chitral (a)	4,000		67	107,729			110						107,906
238	Dir (a)	3,000		8	34,606			9						34,623
239	Swat (a)	1,800		748	445,217			49						446,014
240	Phulra (a)	36		88	8,637			14						8,739
	PUNJAB STATES AGENCY	**38,207**	**349,982**	**1,505,996**	**2,251,459**	**6,952**	**142**	**1,342,685**	**33**	**6,844**	**597**	**779**	**38,105**	**5,503,554**
241	Bahawalpur	17,494	52,265	116,737	1,098,814	2,942	57	46,945		351	...		23,098	1,341,209
242	Chamba	3,127	6,820	148,660	12,318	150		107			383		470	168,908
243	Dujana	91	4,384	19,343	6,939	...		...		...	...			30,666
244	Faridkot	637	2,568	19,203	61,352	240	...	115,070	...	800	...		50	199,283
245	Jind	1,299	43,102	225,247	50,972	134	18	40,981	3	1,294	3		58	361,812
246	Kapurthala	645	20,829	40,717	213,754	1,643	1	88,350	6	380	...	...	12,700	378,380
247	Khairpur	6,050	3,564	46,040	253,690	92	2	1,616	3		...	779	1	305,787
248	Loharu	226	4,586	19,337	3,960	...	1	7		...	...		1	27,892
249	Malerkotla	165	10,036	13,443	33,881	115	...	30,320		310	...		4	88,109
250	Mandi	1,139	59,182	168,275	4,328	2	9	583		...	208		6	232,593
251	Nabha	947	29,061	117,369	70,373	213		122,451		480	...		97	340,044
252	Pataudi	53	3,829	13,899	3,655	9	...	...	...	128	...		...	21,520
253	Patiala	5,942	89,152	508,336	436,539	1,412	54	896,021	21	3,101	3		1,620	1,936,259
254	Suket	392	20,584	49,390	884			234			...			71,092
	PUNJAB HILLS STATES	**11,375**	**238,774**	**786,526**	**46,678**	**188**	**16**	**17739**	**2**	**449**	**10**		**252**	**1,090,644**
255	Bahgat	33	3,701	6,572	508	62	10	152	2	6	...		9	11,022
256	Baghal	120	7,987	19,282	244			16			...			27,529
257	Balsan	57	1,632	4,945	69	...		3			...			6,649
258	Bashahr	3,622	36,412	79,085	784	7		5			10		2	116,305
	Feudatories—													
	Khaneti	21	Figures for individual States not available.											
	Delath	8	Totals for the whole group are given above.											
259	Bhajji	94	4,862	11,481	110			21			...			16,474
260	Bija	5	504	528	26	...		...		...	...			1,058
261	Bilaspur (Kahlur)	453	15,586	92,789	1,498	5	2	453		3	...			110,336
262	Darkoti	5	151	425	56			...			...			632
263	Dhami	28	1,348	3,737	25	...		4			...			5,114
264	Jubbal	274	9,617	19,785	228	2		3			...		167	29,902
	Feudatories—													
	Rawingarh	16	Figures for individual States not available.											
	Dhadi	7	Total for the whole group is given above.											
265	Kalsia	188	8,249	21,617	25,049	55	...	12,235		188	...			67,393

266	Keonthal	186	13,868	36,255	1,324	9			112								
	Feudatories—																
	Koti	44															
	Theog	31	Figures for individual states not available.														
	Madhan	23	Totals for the whole group are given above.														
	Ghund	9															
	Ratiah	2															
267	Kumharsain	84	4,376	9,398	204	5											
268	Kunihar	7	629	1,717	53	...			...				...				13,983
269	Kuthar	21	1,737	3,108	122	2			...				...				2,399
270	Mahlog	49	2,831	5,590	160	5			1				...				4,970
271	Mangal	14	313	1,012	...				45				...				8,631
272	Nalagarh (Hindur)	276	11,216	32,256	6,862				...				...				1,325
273	Sangri	21	1,260	2,577	2	...			2,326			120	...				52,780
274	Sirmur (Nahan)	1,091	49,950	96,249	7,374	31			...				...				3,839
275	Tehri-Garhwal	4,516	61,235	334,105	1,945	5	...	4	2,334			81	...			7	156,026
276	Tharoch	70	1,310	4,013	35				24			51	...				397,369
									5				...				5,363
	RAJPUTANA AGENCY																
277	Bikaner	23,181		992,601	185,323	420											
	EASTERN RAJPUTANA STATE AGENCY	13,121		1,716,969	211,462	1,473				...		34,425	...	1,341	78,828		1,292,938
278	Bharatpur	1,978		449,091	110,296	256				...		17,221	...	214,878	2,007		2,164,010
279	Bundi	2,205		186,063	11,776	58				...		2,724	...	12,435	823		575,625
280	Dholpur	1,173		253,444	18,509	60				...		4,722	...	46,554	201		249,374
281	Jhalawar	824		105,438	9,600	58				...		1,793	...	12,762	333		286,901
282	Karauli	1,227		109,214	7,800	16				...		2,307	...	4,889	7		122,299
283	Kotah	5,714		613,719	53,481	1,025				...		368	...	35,000	15		152,413
	RAJPUTANA-JAIPUR RESIDENCY	22,573		3,421,677	531,764	1,691				...		5,307	...	103,238	628		777,398
												47,503	...	382,354	737		4,385,726
284	Alwar	3,158		539,369	220,334	138											
285	Jaipur	15,610		2,463,801	249,215	1,503						4,707	...	58,430	77		823,055
286	Kishengarh	837		91,707	7,58	24				...		31,842	...	293,898	617		3,040,876
287	Lawa	20		2,443	100					...		2,754	...	2,026	31		104,127
288	Shahpura	405		52,154	2,914	...				...		128	...	137			2,808
289	Tonk	2,543		272,203	51,616	26				...		1,436	...	4,663	6		61,173
										...		6,636	...	23,200	6		353,687
	MEWAR AND SOUTHERN RAJPUTANA STATES AGENCY	17,449		1,559,248	85,651	557											
										...		93,502	...	853,755	147		2,592,860
290	Banswara	1,606		74,522	7,363	103											
291	Dungarpur	1,460		102,562	9,068	12				...		4,574	...	172,194	4		258,760
292	Kushalgarh	340		4,784	898	3				...		6,047	...	156,587	6		274,282
293	Partabgarh	873		42,935	4,473	46				...		627	...	34,841	...		41,153
294	Udaipur (Mewar)	13,170		1,334,445	63,849	393						5,022	...	39,482	9		91,967
	WESTERN RAJPUTANA STATES AGENCY	56,229		2,624,692	282,839	1,671						77,232	...	450,651	128		1,926,698
												149,123	...	171,095	574		32,29,994
295	Danta	347		16,288	2,968	1											
296	Jaisalmer	15,980		62,747	27,456	...						326	...	11,522	5		31,110
297	Jodhpur (Marwar)	36,120		2,124,601	214,151	1,134						742	...	2,291	10		93,246
298	Palanpur	1,794		256,143	31,151	53						119,742	...	95,922	354		2,555,904
299	Sirohi	1,988		164,913	7,113	483						12,767		15,674	67		315,855
												15,546		45,686	138		233,879
	SIKKIM		294†														
300	Sikkim	2,818	76	45,518	83	34	4	1	..			7	12,287	63,206	10		121,520
	WESTERN INDIA STATES	37,894	249,204	2,751,379	499,537	1,741	75	191	586			172,612	5	11,963	173		3,667,466
301	Bhavnagar	2,961	31,403	510,403	50,353	376	5	18	261			24,946					
302	Cutch	8,461	38,839	278,952	116,998	53	4	24	49			64,442	...	658	6		618,429
														1,433	6		500,800

†Cast not returned. (a) According to the extended operations into the trans-border areas of the N.W.F. Province the total of the Muslim population will be 2,331,332.

Serial No.	Name of State	Area in Sq. Miles	HINDUS: Scheduled Castes	HINDUS: Others	Muslims	Indian Christians	Anglo-Indians	Sikhs	Parsees	Jains	Buddhists	Tribes	Others	Total Population
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
303	Dhrangadhra	1,167	6,655	79,013	5,057	45	6	8	14	3,453	...	164	2	94,417
304	Dhrol	283	2,831	26,082	3,937	1			1	765	...		...	33,617
305	Gondal	1,024	14,940	181,751	39,90)	35	...	...	1	7,869	...		18	244,514
306	Idar	1,668	27,813	264,535	11,085	647	3	45	8	3,661	...		1	307,798
307	Jafrabad (Janjira)	53	679	11,176	1,982	...	...	...	...	...	...	...	...	13,837
308	Junagadh	3,337	48,501	485,820	127,814	200	45	36	66	8,073	1	112	51	670,719
309	Limbdi	344	4,918	32,513	4,543	18	...		5	2,021	4	...	2	44,024
310	Morvi	822	10,200	111,970	12,956	31	2	...	10	6,488	...	61	43	141,761
311	Nawanagar	3,791	26,328	384,143	66,655	166	10	35	86	26,552	...	3	28	504,006
312	Palitana	300	4,898	61,033	5,680	10		2	...	4,629	...	173	7	76,432
313	Porbandar	642	9,885	121,327	14,035	91		8	47	1,225	...	25	5	146,648
314	Radhanpur	1,150	6,510	49,153	8,522	14		...	...	2,973	...	519	...	67,691
315	Rajkot	282	4,988	80,272	10,828	22		4	37	6,585	...	213	2	102,951
316	Vijayanagar	135	412	4,268	325	...		1		427	...	8,509	...	13,942
317	Wankaner	417	4,009	32,411	15,813	31		10	1	2,689	...	...	1	54,965
318	Wadhwan (Vadwan)	242	5,395	36,557	3,054	1				5,814	...	93	1	50,915
	WESTERN KATHIAWAR AGENCY	2,551	30,827	324,552	58,081	72	6	18	23	8,035	9	77	18	421,663
319	Bilkha	135	2,094	25,970	2,618	7	2		7	1,094	..	..	..	31,790
320	Jasdan	296	2,298	31,270	2,851	8				1,313	..	23	6	37,679
321	Jetpur	120	1,255	19,897	12,599	10		..	7	1,366	9		2	35,145
322	Kotda Sangani	90	906	9,282	1,851	4		2		115	..			12,160
323	Khirasra	47	634	4,954	224			..		81	..		..	5,893
324	Malia	103	519	6,453	3,457	..		11	..	348	..		..	10,788
325	Manavadar	101	2,473	19,953	3,596	22	4	4	1	155	..	..	1	26,209
326	Thana Devli	117	1,332	16,037	1,068				1	308	..	2		18,748
327	Vadia	90	1,109	14,380	725					604	..			16,818
328	Virpur	66	526	7,265	725				2	76	..			8,594
	REST OF THE AGENCY	1,386	17,771	169,091	28,369	21		1	5	2,545	..	52	4	217,859
329	Akala	*Not Surveyed*												
330	Alidhra	25·5												
331	Anida	30·5												
332	Rajpara (Halar)	15·5												
333	Bagasra Majmu Taluka	25												
334	Bantwa Majmu Taluka	27												
335	Bantwa Taluka	56·2												
336	Barwala	45												
337	Bhadwa	7												
338	Bhayavadar	11·5												
339	Champrajpur Taluka	593												
340	Dangavadar	11												
341	Dedan	24·5												
342	Gadhka	23·1												
343	Gavridad	27												
344	Hadala	24												
345	Harsurpur	*Not Surveyed*												
346	Jalia Devani	36·89												
347	Khari	30												
348	Khijadia	*Not Surveyed*												
349	Kotda Pitha	45												

Figures for individual states not available.
Totals for the whole group are given above.

350	Kotharia	27
351	Lodhika Mulwaji Estate	7·5
352	Lodhika Vijay Sinhji Estate	7·5
353	Manpur	15
354	Mayapadar	14
355	Mengani	34·5
356	Nadala	16
357	Natwarnagar	14
358	Pal	21·2
359	Pipalia	30
360	Sanala	7·42
361	Sardargadh	72
362	Sardarpur	14
363	Shahpur	10
364	Thumbala	21
365	Vasavad Majmu	16·8

Non-Jurisdictional Taluks and Estates of the Western Kathiawar Agency

366	Akadia	2
367	Amrapur	8
368	Babra	10
369	Bagasra (Goded Matra)	23·5
370	Bagasra (Samat Matra)	
371	Bhadli	15
372	Bhalgam Baldoi	1
373	Bildi	3
374	Charkha	10
375	Dahida	2
376	Dedan (Majmu)	25
377	Derdi Janba	2
378	Dholaiya	4
379	Dhrafa	44
380	Gadhia	11
381	Garmali Moti	2
382	Garmali Nani	2
383	Gigasaran	6
384	Halaria	6
385	Itaria	6
386	Jhamka (Velani)	7
387	Kamadhia	4
388	Kaner	2
389	Kankasiali	76
390	Kanpur (Ishwaria)	3
391	Kariana	10
392	Kathrota	1
393	Khambhala	6
394	Khijadia (Babra Thana)	2
395	Khijadia (Nayani)	1
396	Kotda Nayani	3
397	Kuba	3
398	Lakhapadar	5
399	Lodhika Majmu	8
400	Manavav.	5
401	Maluva Nana	76
402	Monvel	31
403	Mulila Deri	15
404	Nilvala	2
405	Noghanvadar	1
406	Randhia	3
407	Satudadvavdi	13
408	Silana	4
409	Sisang Chandli	1

Figures for individual states not available.
Totals for the whole group are given above.

Figures for individual states not available.
Totals for the whole group are given above.

Serial No.	Name of State	Area in Sq. Miles	HINDUS: Scheduled Castes	HINDUS: Others	Muslims	Indian Christians	Anglo Indians	Sikhs	Parsees	Jains	Buddhists	Tribes	Others	Total Population
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
410	Vadali	2												
411	Vaghavadi (Vaghvori)	3												
412	Vanala	3												
413	Vekaria	3												
414	Vichhavad	3·7												
415	Virva	0·76												
			Figures for individual states not available. Totals for the whole group are given above.											
	EASTERN KATAIHWAR AGENCY:													
		2,844	34,392	238,031	18,598	712	1	12	12	12,077		214	3	304,052
416	Bajana	183·12	1,803	9,385	2,510			...	...	256		42		13,996
417	Chuda	78·2	1,426	11,999	1,382	...	...	10	...	1,001		...		15,818
418	Lakhtar (Lakhtar Thana)	247·438	3,619	20,476	1,329	1	1		...	1,331		23	...	26,780
419	Lathi	48	674	8,692	969	47			...	429		...	1	10,812
420	Muli	133·2	2,266	13,264	460				...	984		3		16,977
421	Patdi	39·4	496	2,576	29				...	30	...	16		3,147
422	Sayla	222·1	1,611	12,190	735				1	807		8		15,352
423	Vala	190·3	1,089	14,053	583				4	459		9		16,197
	REST OF THE AGENCY	1,702	21,408	145,396	10,601	664		2		6,780		113	2	184,973
424	Anandpur (Dada & Nanajiwa)	25												
425	Anandpur (Khacher Desa Bhoj)	70												
426	Rai Sankli	6												
427	Rajpur	228												
428	Vanoli	57·3												
429	Vithaigadh	56												
430	Zainabad	30												
			Figures for individual states not available. Totals for the whole group are given above.											
	Non-Jurisdictional Talukas and Estates in the Eastern Kathiawar Agency:													
431	Alampur (Diwani)	3												
432	Anandpur (Chotila Thana)	13												
433	Ankevalia	17												
434	Bamanbor	12												
435	Bhadvana	15												
436	Bhalala	6												
437	Bhalgamda	19												
438	Bhandaria	3												
439	Bharejda	2												
440	Bhathan	4												
441	Bhimora	36												
442	Bhoika	30												
443	Bhojavadar	3												
444	Bodanoness	0·88												
445	Chanchana	6												
446	Chamardi-Vachhani	7												
447	Chalala	5												
448	Chiroda	0·72												
449	Chitravav (Devani)	1												
450	Chobari	13												
451	Chok	4												
452	Chotila	115												
453	Darod	4												
454	Dasada	89·7												
455	Datha	68·9												
456	Dedarda	2												
			Figures for individual states not available. Totals for the whole group are given above.											

457	Devalia	11
458	Dhola (Devani)	1
459	Dhudhroj	12
460	Gadhali	5
461	Gadhula	1
462	Gandhol	0·52
463	Gedi	2
464	Gundiala	15
465	Iavej	7
466	Jakhan	3
467	Jalia-Kayaji	1
468	Jalia-Manaji	1
469	Jhamar	4
470	Jhanpodad	4
471	Jhinjhuwada	164·6
472	Junapadar	0·31
473	Kanalpur	4
474	Khijarda	0·98
475	Kantharia	14
476	Karmad	3
477	Karol	11
478	Katodia (Vachhani)	1
479	Kesaria	3
480	Khambhlav	10
481	Khandia	5
482	Kherali	11
483	Khijadia Dosaji (Songadh Thana)	1
484	Laliad	4
485	Limbda	7
486	Matra Timba	6
487	Mevasa	24
488	Merchopna	88
489	Munjpur	3
490	Pachhegam (Devani)	10
491	Pah	1
492	Palkad	85
493	Palsi	4
494	Panchavda (Vanchhani)	78
495	Rajpara (Chok Thana)	1
496	Ramanka	2
497	Ramparda	5
498	Ranigam	3
499	Ranparda (Chok Thana)	5
500	Ratanpur Dhamanka	3
501	Rohisala	1
502	Rozwa	16
503	Sahuka	6
504	Samadhiala (Chok Thana)	1
505	Samadhiala Chhabhadia	0·62
506	Samadhiala	1
507	Samla	13
508	Sanala	0·51
509	Sanosra	13
510	Sata-no-ness	0·67
511	Sejakpur	29
512	Sebdi-Vadar	1
513	Songadh (Vachhani)	1
514	Sudamda Dhandhalpur	135
515	Talsana	43
516	Tavi	12
517	Toda-Vachhani	1
518	Untdi	6
519	Vadal Bhandaria	1
520	Vadod (Devani)	Not available.

Figures for individual states not available.
Totals for the whole group are given above.

Serial No.	Name of State	Area in Sq. Miles	HINDUS: Scheduled Castes	HINDUS: Others	Muslims	Indian Christians	Anglo Indians	Sikhs	Parsees	Jains	Buddhists	Tribes	Others	Total Population
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
521	Vadod (Jhalawad)	11	Figures for individual states not available. Totals for the whole group are given above.											
522	Vana	24												
523	Vangadhara	0·62												
524	Vavdi Dharvala	4												
525	Vavdi Vadhhani	0·71												
526	Vejanonesh	6·29												
	SABAR KANTHA AGENCY :													
527	Ambaliara	5,408	42,167	376,909	17,484	233	1	7	13	16,14	...	4,861	24	457,813
528	Malpur	80	799	9,709	106	...				3		361	...	10,978
529	Mansa	97	1,152	14,967	347	3			...	...	...	98	1	16,568
530	Mohanpur	25	1,497	15,609	915	...			1	637		22		18,681
531	Thara	89	1,712	13,283	217	11				279		225		15,727
532	Tharad	78	1,235	9,762	735			...		574		33		12,339
533	Warahi (Khanji's)	126	6,523	47,310	2,081			5		4,729		1,509		62,157
534	Wao	120	87	1,093	100					6		82		1,368
	REST OF THE AGENCY	759	3,186	19,061	533					1,675		218		24,673
		2,899	25,976	246,115	12,450	219	1	2	12	8,211		2,313	23	295,322
535	Bhalusna	1												
536	Bolundra	6												
537	Dabha	12												
538	Dadhalia	28												
539	Dedhrota	Not available.												
540	Deodar	Do.												
541	Deodar Thana	Do.												
542	Derol	10												
543	Gabat	10												
544	Godhasar	16												
545	Hadal	27												
546	Hapa	5												
547	Ilol	19												
548	Kadoli	8												
549	Katosan	10												
550	Khadal	8												
551	Khedawada	27												
552	Likhi	9												
553	Magodi	23												
554	Palaj	2												
555	Prempur	25												
556	Punadra	11												
557	Ramas	6												
558	Ranasan	30												
559	Rupal	16												
560	Santalpur in Sabar Kantha	Not Surveyed.												
561	Sathamba	18	Figures for individual states not available. Totals for the whole group are given above.											
562	Satlasna	25												
563	Sudasna	2												
564	Tajpuri	7												
565	Terwada	61·78												
566	Vaktapur	4												
567	Valasna	21												
568	Varsoda	11												

569	Wadagam	28
570	Warahi's (Khanji's)	40
571	Wasna	10
	Non-Jurisdictional Talukas and Estates in the Sabar Kantha Agency :	
572	Deloli	2
573	Ijpura	2
574	Kasalpura	2
575	Maguna.	5
576	Mehmadpura .	1
577	Mota Kothasna	3
578	Rampura	1
579	Ranipura	1
580	Suigam .	220
581	Tejpura	4
582	Timba	3
583	Umri	10
584	Virsoda	3

Figures for individual states not available.
Totals for the whole group are given above.

GIPD—MI32 C.A.—28-3-47—1,000.

GOVERNMENT OF INDIA
ESTATE OFFICE.

Rec'd 10/4/47

From

Rai Sahib G.T.Meshram,
Estate Officer.

To

All the Members of the Constituent Assembly.

Circular No. 929-E.O.XI. Dated New Delhi, the 7th April 1947.

Subject:- Allotment of residential accommodation to Members of the Constituent Assembly during April session 1947.

Sir,

The following types of accommodation will be available for allotment to Members attending the April '47 session of the Constituent Assembly.

(1) CONSTITUTION HOUSE HOSTEL.

There are 12 double and 184 singl suitesin this Hostel. Out of the 184 single suites 28 suites are fitted with independent bath rooms and the remaining have one bath room for every two suites.
The rent of a double suite will be Rs. 5/-/- per day and for a single suite Rs. 3/-/- per day. The messing charges are Rs. 7/-/- per head per day.

(2) WESTERN COURT.

5 double suites and 28 single suites will be available in this hostel. The rent of double suites is Rs. 6/2/- per day subject to a maximum of Rs. 121/7/- per mensem and the rent of single suites varies from Rs.3/6/- to Rs.3/14/- per day subject to a maximum of Rs.67/9/- p.m. and Rs. 76/14/- per mensem respectively. The messing charges are Rs. 5/6/= per head per day.

(3) KOTAH HOUSE.

Only 9 married huts, each consisting of a bed room, th room, dressing room and an enclosed veranda, will be available in th hostel. The rent of each of these huts is Rs.3/- per day. The messing charges are Rs.5/6/- per head per da.

(4) PRIVATE HOTELS.

The number of doubl or single suites which will be available is not yet known but only a few suites are expected to be available in the following Hotels:-

New Delhi.

Imperial.
Marina.

Delhi.

Maidens.
Cecil.
Swiss.

Members applying for hotel accommodation are requested to indicate their 2nd and 3rd preference for other types of accommodation also as very few rooms will be available for allotment and it will not be possible to meet the full demand. The charges in hotels are inclusive of messing and vary from Rs.24 to Rs. 35/- per day in respect of married suites and Rs.13/- to Rs.15/- per day in respect of single

suites according to size of suites and Hotels. The charges will however be at controller rates.

(6) M.L.A. BUNGALOWS.

These bungalows are situated on Ferozeshah Road, Canning Lane, Windsor Place, Queensway and Electric Lane in New Delhi. The exact number of M.L.A. Bungalows which will be available for allotment will be definitely known after the session of the Central Legislature is over.

M.L.A's (Central) and Members of the Council of State who are also Members of the Constituent Assembly and had been successful in getting M.L.A. quarters during the budget session of the Central Legislatur will continue to remain in occupation of the quarters if they so desire.

The rent and other charges in respect of M.L.A. Bungalows will be as follows:-

	Rent of Bungalows.	Scale Furniture.	Flower &c.	Additional Services.	Total.
1. Windsor Place.	79/12	13/7/-	1/-	35/6/-	129/ 9
2. Ferozeshah Road (Chummeries.)	79/12	12/8/-	1/-	35/6/-	128/10
3. Queensway.	79/12	12/6/-	1/-	35/6/-	128/ 8
4. Bungalows on Electric Lane Canning Lane & Ferozeshah Road.	79/12	16/1/-	1/-	35/6/-	132/ 3

2. The rates of rent of all residences mentioned above are subject to slight revision and will have retrospective effect.

3. In the Constitution House messing is provided to suit both European and Indian tastes. Orthodox catering is provided under the following groups:-

(i) Punjabi.
(ii) Bengali.
(iii) Madrasi.
(iv) General.

In other Hostels only European messing will be available. In M.L.A. bungalows the Members will be required to make their own messing arrangements. Messing in Government hostels including the Constitution House would be compulsory.

4. The following general principles will be followed in allotting residences other than M.L.A. Bungalows:-

(a) Separate allotments will be made to each Member by the Estate Officer;
(b) preference will be given to Members who apply before the date fixed for receiving applications;
(c) allotments will be made by ballot, and separate ballot will be drawn for each type of accommodation mentioned;
(d) a separate set of rooms as self-contained as possible, will be reserved for lady members in the Curzon Road Hostel (Constitution House) if a sufficient number apply.

5. Members are requested kindly to send in their applications on the form attached to this circular letter. When applying for accommodation care may be taken to indicate two or more preferences No guarantee can, however, be given that first preference will be met. All efforts will, however, be made to reallot the same suites to Members which they occupied during the preceding sessions, provided they ask for them.

6. In no case will an allotment of Government accommodation once made be cancelled except in unavaoidable circum-stances such as when a Member is unable to attend the session on account of ill-health or for other valid reasons. Members for whom accommodation in private hotels is reserved will have to pay rent to the hotel management. In case reservation is cancelled, rent for the room will have to be paid from the date of reservation to the date of cancellation. In case reservation is cancelled before the commencement of the period of reservation, there shall no charge of rent.

7. The residences are primarily intended for Members only, and, under no circumstances will subletting by Members or allowing others to stay in the accommoda-tion allotted to Members be permitted. If accommodation is surplus to requirements, it may be allotted to the Members for accommodating their guests. Members are therefore requested to make over their residences to the Central P.W.D or the Inspector of the Hostel concerned on vacation, except in the case of hotels, where charge of the rooms should be made over to the hotel authorities.

8. Those Members who will requir garages and servants quarters may kindly clearly indicate this in the application form. There is some shortage of servants quarters and garages and those Members who do not apply well in advance may not be able to secure any on their arrival in New Delhi.

9. All Members who apply for accommodation other than in Constitution House and requir telephone connections to be installed in their residences must specifically mention whether or not the requir telephones. All expenses in this connection will have to be paid by the Members themselves in advance to the District Manager, Delhi Telephone District, Eastern Court, N Delhi.

10. A reply to this letter is requested latest by 15.4.1947, otherwise it will be assumed that the Member does not require any accommodation.

I have etc. etc.,

G.T.Mohanram.
ESTATE OFFICER.

R. JAYAKAR

77

APPLICATION FORM FOR MEMBERS OF CONSTITUENT ASSEMBLY APPLYING FOR GOVERNMENT ACCOMMODATION.

From

To

The Estate Officer,
Government of India,
New Delhi.

Dear Sir,

With reference to your circular No.929-E.O.XI, dated 7th April 1947, I wish to apply for the following accommodation in order of preferance:-

1st preference

2nd preference.

3rd preference.

77H

I would like to hav accommodation with European/Orthodox messing arrangements (This applies to Constitution House Hostel only).

* ~~I will also require a motor garage and~~/
a servant quarter.

Whether telephon required or not? (This applies to accommodation other than in the Constitution House wher all suites will be fitted with telephone).

Strike out if not required.

Proposed date of arrival in New Delhi.

Yours faithfully,

(Name in full & address).

No. 253/XVIII

CENTRAL PROVINCES AND BERAR LEGISLATIVE ASSEMBLY

From

Honourable Mr. Ganshyam Singh Gupta, B.Sc., LL.B.,
Speaker, Central Provinces and Berar
Legislative Assembly,
NAGPUR.

To

Sir B. N. ,
Constitutional Advisor,
Constituent Assembly of India,
NEW DELHI.

Dated Nagpur, the 4th April 1947.

Sir,

With reference to your letter No. C./18/Cons/47, dated the 17th March 1947 addressed to all the members of the Central Provincial Legislatures, I have the honour to send herewith my replies to your questionnaire.

I have taken the liberty to add certain introductory remarks conveying my views on some basic problems. The views expressed therein form the background of my answers to the questionnaire.

I have the honour to be,
Sir,
Your most obedient servant,

G. G. GUPTA.

Speaker,
Central Provinces and Berar
Legislative Assembly.

NSWERS

TO THE QUESTIONNAIRE

ISSUED BY

THE CONSTITUENT ASSEMBLY OF INDIA

as per Sir B.N.Rau's letter No C.A./18/Cons/47
dated New Delhi, the 17th March 1947.

BY

H.S.GUPTA

SPEAKER, CENTRAL PROVINCES AND BERAR

LEGISLATIVE ASSEMBLY

NAGPUR.

INTRODUCTORY

I

Future Association with Great Britain

I am in favour of some sort of voluntary but lasting connection with Great Britain - not by a treaty renewable every so often but an organic connection embodied in the constitution though capable of being terminated at will if circumstances should so dictate.

In my humble opinion this will be of great advantage to India (and to Britain, though we need not be guided by that consideration) at any rate in the beginning, say for the first quarter of a century.

It is no matter of mere chance that England has not lost a single war for something like the last four hundred years. There must be something in the British character that has ensured this.

There is another point which we might bear in mind. This is not the time to be swayed by old slogans or prejudices. However necessary it may formerly have been to decry the British and their Government in order to rouse the Indian masses to fight for swaraj, that day is over. It will not merely not serve our present purpose but harm us if we persist in that attitude of mind. It will only serve to conceal from us our own defects and weakness, and hamper progress and reform. We have therefore to put it from us and bring to things a proper perspective when we examine our present and future needs.

After all, the peaceful transference of power (a transference to a certain extent, if I may say so, made voluntarily) executed in India's favour by Great Britain will be an event in history of the first magnitude. Whatever else is forgotten in the course of time we may be sure that this will not be. It is true that there is some force in the argument that the British Government has been compelled to it by circumstances: but I would put it the other way and say that they have the wisdom to see that it would serve no purpose (neither theirs nor ours) to prolong their authority in India any further. No other country in the world would of its own free will have parted with power like this over so extensive an empire and without a bloody revolt.

I believe that we stand to gain and not lose by an organic connection with such a people.

There is another advantage, and it is with reference to the Indian States. The problem of how to bring about stable and happy relations between the States and the rest of India may possibly be more easy of solution if we retain some sort of connection with Britain such as I have suggested. The succession to paramountcy, otherwise so vexed, might then accomplish itself with satisfaction to all. At the least our relations with the States would be greatly helped.

When we discuss this connection we perhaps forget that the Statute of Westminster gives absolute liberty to any member of the Commonwealth to separate when it likes. Separation is thus available to us at any time: but if we separate today we may find later, if our self-interest dictates that we should seek it, re-union is difficult.

II

Minorities

There is another important matter to which I should like to refer in these my introductory remarks. It is the question of minorities, particularly the Muslims. In this too we have to change our old methods and discard ideas and formulas that are out of date. In order to ensure co-operation and unanimity among all sections of the people of India, so that we might fight the British Government and wrest Swaraj from them, it was necessary to placate one element at the cost of others and give undue advantage and preference to it. All those methods, though necessary then, have no compelling value now. I am not suggesting that any pact or agreement entered into should be treated as waste paper. Far from it. But concessions based on injustice and a surrender to threats are dangerous and fruitful of immense mischief. To cite only one example, we may contemplate the method of separate electorates.

In this connection there are a few very important things to be pointedly noted :-

(i) If, for the sake of achieving Pakistan, it be just that the Muslim League should coerce Sikhs and Hindus in the Punjab and in Bengal, though they form something like 45 per cent of the populations in those provinces, then surely it would be doubly just for the 78 per cent of non-Muslims in India to do likewise to the 22 per cent of Muslims for the sake of forming Hindustan. Whether the Muslims form a separate nation or not is immaterial. If they are a separate nation with respect to India as a whole they are equally separate with respect to Bengal and the Punjab.

If it is unjust for a 78 per cent majority of non-Muslims and Hindus to insist on retaining the 22 per cent minority of Muslims it follows that a 22 per cent minority is too large a minority and a 78 per cent majority is too small a majority for the purpose. If we turn this argument round then for Pakistan the Muslim League must search for an area where the Muslim majority is more than 78 per cent and the non-Muslim minority less than 22 per cent.

(ii) If a small province like Sind can declare its independence in the words of the recent resolution of the Muslim League there, what is to forbid a similar declaration by the western parts of Bengal and by the central and eastern parts of the Punjab ? If Sind can refuse to remain tied to India, those parts can very well refuse to be tied to Bengal or the Punjab.

(iii) It may be argued that an attitude like this on the part of the majority may create complications and is not going to solve the problem. My answer is that if the problem is not capable of being solved justly and equitably it is not capable of solution at all. An apparent and evanescent solution contrived on the basis of an unjust surrender will only, at its disappearance, leave behind it situations still more complicated than the existing situation it was meant to remedy. To be permanent the solution must be based on justice and fair play.

III

Sovereignty - provincial autonomy

To say that sovereignty should vest in groups and provinces is like cutting the limbs from a living creature and then trying to join them together again.

I have always held that the formula of "Provincial Autonomy" is misconceived and utterly unsuited to the conditions of India. As a slogan it was palatable but definitely harmful. The slogan was the mother of Pakistan. Provincial autonomy may have been a necessary step when the intention was to transfer limited power to the units in the first instance and to the Federation thereafter. It cannot now stand examination. Sovereignty must, therefore, vest in the people of India as a whole and not in the inhabitants of various provinces.

There is another reason why it should so vest. Swaraj is coming not as a result of different provinces having differently fought for it but as a result of the united effort of the people of India as a whole. The fruit must, therefore, descend to all without distinction.

For more than the last 100 years, India has been one political unit. There must be strong reasons to split and dismember what has been an organic whole. Even the United States, where originally the various states were altogether separate entities, have found it necessary to have a strong and powerful centre. The different states there, sovereign though each was, found it more and more necessary to come closer and part with a portion of their sovereignty in favour of the centre. Here we are doing quite the contrary thing. Here we are cutting an India whole and single into pieces and then trying to join the pieces.

N.P.

My answers are based on the present position of the absence of Muslim League party from the Constituent Assembly. If and when they join the Constituent Assembly some modification may be deemed necessary.

2. Besides the Central and Provincial divisions I have divided my answers into two parts (a) and (b).

(a) Presupposes connection with the United Kingdom
(b) absence of any such connection.

Question No.		Answer.
1.	Centre :-	(a) Governor-General (b) President.
	Provincial:-	(a) Governor (b) Governor.
2.	Centre :-	(a) Should be appointed by His Majesty on the recommendation of the Prime inister of India.
		(b) President should be directly elected by electoral College consisting of past and present members of the Provincial and Central Legislatures.
	Provincial :-	(a) Should be appointed by the Governor-General on the advice of the Prime inister of India.
		(b) Should be appointed by the President.
3.	Centre :-	(a) and (b) - First term for 7 years and subsequent for 5 years.
	Provincial:-	(a) and (b) - do.
4.	Centre :-	(a) Nil. (b) Yes, but not more than once in succession.
	Provincial :-	Question does not arise.
5.		No.
6.	Centre -	Yes only one Vide President.
7.	Centre -	Same as that of the President.
8.	Centre.-	He should have powers wide enough to make the real head of the state some thing like that in U.S.A.

p.t.o.

Question No.		Answer.
9.	Centre -	He should be the Leader of the House and become President on the death etc. of the President till new election.
10.	Centre -	Yes by impeachment. Some thing like U.S.A. for stated misdemeanour.
11.		See No. 9.
12.	Centre -	(a) The union executive should be of the British type (b) The union executive should be of the American type with slight modification.
	Provincial -	In both (a) and (b) the cases/Provincial Executive should be of the British type.
13.	Centre -	(a) for the 1st 15 or 20 years it should /the require/majority of about 2/3 in the Legislature to turn out the ministry; or on the defeat of the Ministry a dissolution of Legislature should follow. (b) Does not arise.
	Provincial -	In both (a) and (b) as above in (a)
14.	Centre :-	Composition :- (a) Members of Legislature (b) From any where. Number - (a) and (b) - 25 might be the normal no. to be increased by an act of Legislature but not to exceed. 40.
	Provinces :-	Composition:- Both (a) and (b) Members of Legislature Number :- Different for different Provinces.
15.		No.
16.		In the British manner.
17.	Centre -	In (a) - By the Prime Minister (b) - By the President.
	Provincial.	(a) and (b) by the Leader of the majority Party.
18.		Discussed above already.
19.		Discussed above already.

p.t.o.

Question No.		Answer.
20.	Centre -	Should have two Chambers.
	Provinces-	Should have two Chambers.
21.	Centre -	The Upper House should consit of :- (1) Ex-Judges of the (present) Federal or Supreme Court. (2) Persons who have attained the highest military rank e.g. Field Marshal. (3) Members elected by the Lower and Upper Houses of the provinces from among (i) Ex-Judges of any High Court (ii) Ex-Ministers of any Provincial Government; Speakers and Presidents of Provincial Legislatures(who have served as such for not less than 2 consecutive years) and some such. Their term to be coterminous with the Lower House. Lower House - by direct election, with adult franchise. One member in 5 lakhs (totalling about 800), with single member constituency as far as possible
	Provinces :-	Upper House to consist of :- (1) All ex-Judges of High Court, (2) All ex-ministers, ex-Speakers and Presidents who have served for not less than 6 years. (3) All present and ex-Vice Chancellor Universities. (4) And such other experienced persons of like class. Lower House - All elected by direct election with adult franchise roughly one of one lakh, single member Constituency
22.		None.
23.		Already answered in No. 21.
24.	Centre -	Upper House see No. 21. Lower House - 5 years.
	Provinces.	Upper House - See No. 21. Lower House - 5 years.
25.		The Upper House is mainly designed as a repository of wisdom and experience. It should not have the ultimate determining voice in any matter. This should be the responsibility of the Lower house

86.

Laws to emanate from the Lower House, but should be agreed to by the Upper except some bills. In case of dead-lock the Lower House, if it passes any measure three times at an interval of say six months each, should have the final authority.

D

JUDICIARY.

26. An independent and absolutely impartial judiciary is an asset in any country and the foundation of sound social system

The Supreme Court of India shall be the final judicial authority judicial matters through out India.

I am against there being the chain of courts.

The High Courts of the provinces should be similarly be the plural courts subject only to appeals to the supreme court.

E

AMENDMENTS TO THE CONSTITUTION.

27. Minor amendments to the Constitution may be made by the Legislature with a substantial majority of votes say 2/3. But major amendments should only be possible after some sort of referendum.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT

Class
Prefix } _____ Code _____

Rec'd. from _____

By _____

Sent at _____ H. _____ M.

To _____

By _____

Handed in at (Office of Origin).	Date.	Hour.	Minute.

TO

Rec'd. here at

VI NEW DELHI 17 STE 27 RT HON DR JAYAKAR MALABAR HILL BOMBAY =

YOU ARE ALLOTTED ASSEMBLY BUNGALOW NUMBER 33 FEROZESHAH ROAD FOR APRIL

SESSION CONSTITUENT ASSEMBLY = ESTATE OFFICER =

N. B. — The name of the Sender, if telegraphed, should be written above, [illegible]

[illegible] — 1948 [illegible] — 1,25,000 Five.

Consti. Assembly.

April 18, 1947.

From

The Rt. Hon'ble M.R. Jayakar, P.C.

To

The Estate Officer,
Government of India,
New Delhi.

Dear Sir,

I thank you very much for your telegram received here this morning as follows:

"You are allotted Assembly bungalow No.38 Ferozeshah Road for April session Constituent Assembly".

As I was not sure whether I would be able to attend the next session of the Constituent Assembly, I had not written to you any reply to your communication regarding securing accommodation. I thank you, therefore, all the more that you have sent me this telegram without any initiative from me. I am not sure whether I shall be able to attend the next session of the Constituent Assembly and I am not, therefore, in a position to accept immediately the accommodation

35, Feroseshah Road, which you have so kindly offered. You will definitely hear from me in this matter at the end of a week.

Yours faithfully

M.P.J.

Expect my bills of 25th April
& Kāk I shall require more
accomodation - trenches
in your bungalow
Please write to me by bills 25th April
I am now in afghan
Will you Kal
Please write on 15th April
Z. M. Hy
c/o M. R. Jagtap

C.A

EXPRESS TELEGR M — STATE

TO

RT. HON. DR. JAYAKAR
[redacted] HILL
BOMBAY

Recd 21-4-47. a.m.

YOU ARE ALLOTTED ASSEMBLY BUNGALOW NUMBER

33 FEROZESHAH ROAD FOR APRIL SESSI

CONSTITUENT ASSEMBLY = ESTATE OFFICER = 15

NOT TO BE TELEGRAPHED

G.T.MESTRAM
ESTATE OFFICER TO THE GOVERNMENT
OF INDIA

P.T.O.

No. 582 E.C.X.I. Dated New Delhi, he 17/4 April '47.

Post copy in confirmation to the Rt. Hon. Dr. M.R.Jayakar, Member Constituent Assembly Ashrama, Winter Road, Malabar Hill, Bombay.

ESTATE OFFICER.

17/4

GSP/10.4.46 (140 copies).

Constituent Assembly of India

MEMBER

The Rt.Hon'ble Dr.M.R. Jayakar,P.C.,

Secretary

12

CONSTITUENT ASSEMBLY OF INDIA

CA 40/ Asy/46.

Council House,
3rd
New Delhi, the ~~8th~~ April, 1947

Dear Sir/~~Madam~~,

During their last session, the Constituent Assembly passed a resolution adjourning their meeting to some date in April to be fixed by the President. I am desired to inform you that the President has fixed the next meeting for Monday, the 28th April at 11 A.M. in the Constitution Hall, Council House, New Delhi.

Yours truly,

(H. V. R. IENGAR)

Secretary.

Rt.Hon'ble Dr.M.R.Jayakar.

CONSTITUENT ASSEMBLY OF INDIA

Council House,
New Delhi, the 9th April, 1947

No. CA/40/Asy./47.

FROM

H. V. R. IENGAR, Esq., C.I.E., I.C.S.,
Secretary.

To

ALL MEMBERS OF THE CONSTITUENT ASSEMBLY.

SUBJECT :—*Members' passes for the meetings of the Constituent Assembly.*

SIR/MADAM,

I am directed to invite your attention to my letter No. CA/49/Asy./46, dated the 9th January, 1947.

2. It has been decided to have a different colour for Members' passes to be used in connection with the meetings of the Constituent Assembly commencing on the 28th April, 1947.

3. One such pass is enclosed, and it is requested that it should be preserved till intimation is received to the contrary. It will of course be renewed when it becomes unfit for use. If lost, a duplicate will be issued at the request of the member concerned.

4. The pass issued to you for the last meeting of the Assembly should kindly be destroyed.

I have the honour to be,
SIR/MADAM,
Your most obedient servant,
H. V R. IENGAR,
Secretary.

CONSTITUENT ASSEMBLY OF INDIA

FORM OF APPLICATION FOR ADMISSION CARDS FOR VISITORS

To

THE SECRETARY,
CONSTITUENT ASSEMBLY OF INDIA

Dated *194*

DEAR SIR,

Please send me an admission card for the person named below for the meeting of the Constituent Assembly of India to be held on the

*1. Name in full (not initials) :—

*2. Profession :—

3. Permanent Address and Province :—

4. Delhi Address :—

5. Delhi Address of member through whom applied :—

The above person is known to me personally or has been introduced to me by who has been known to me personally.

Yours truly,

Member of the Constituent Assembly of India.

*1. This application will not be accepted if the particulars required above are not supplied *in full*.

2. In the case of ladies their full name and profession need not be given provided that in the case of married ladies their husband's full name and profession and for other ladies full name and profession of the person with whom they ordinarily reside are also given along with their usual names.

GIPD—SI—103Con.Ass.—7-1-47—5,000.

CONSTITUENT ASSEMBLY OF INDIA

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GIPD—SI—103Con.Ass.—7-1-47—5,000.

APPLICATION FOR SUPPLEMENTARY FUEL RATION.

DELHI RATIONING

Full name of head of family.....
(in block letters)

Postal address.....

S. No. of his Food Ration Card.....

No. of members in family.....

S. Nos. of Food Ration Card's of members of family.....

.....

Number of living rooms in the house*.....

I hereby declare that the information given above correct.

Date.....

Signature of applicant
(Head of Family)

* Excluding such rooms as bathroom, separate kitchens dressing rooms etc.

NO.CA/8/SER/47.

CONSTITUENT ASSEMBLY OF INDIA

Council House,
New Delhi, the 19th April, 1947.

From

B.F.H.B.Tyabji, Esq., I.C.S.,
Deputy Secretary

To

All Members of the Constituent Assembly.

Subject:- Issue of petrol coupons to the members of the Constituent Assembly of India.

Sir/Madam,

I directed to inform you that, with immediate effect, a revised procedure will be followed for issuing petrol ration to members attending meetings of the Constituent Assembly and Committees thereof.

2. Coupons will be issued on the basis of five gallons a week or as many gallons as the number of days on which meetings are attended, whichever is greater; provided that coupons are not issuable:

(i) in respect of meetings of the Assembly and Committees separately when they are held on the same days and/or in the same week; and

(ii) for periods preceding the week of application.

3. Applications for coupons, signed by the members themselves, should be made to the Under-Secretary, Constituent Assembly of India, at least 24 hours in advance of the date on which the coupons are required.

4. As a safeguard against their falling into the hands of unauthorised persons, coupons will be delivered to members when they ask for them personally, or sent to them in Council House, or handed over to their Private Secretaries or clerks who are known to the Constituent Assembly office.

5. Members may kindly note that, under the Motor Spirit Rationing Order, 1941, it is not permissible to use a petrol coupon for any purpose other than that for which it had been issued. It, therefore, follows that, as coupons issued by this office are meant for use in connection with the sessions of the Constituent Assembly, it is illegal to exchange them for petrol obtained outside Delhi.

6. Members are requested kindly to return unused petrol coupons to the Under Secretary, Constituent Assembly, before leaving Delhi.

I have the honour to be,
Sir,
Your most obedient servant,

(B.F.H.B.TYABJI)
DEPUTY SECRETARY

HVR/19-4-47
450 copies

NO.CA/67/SER/47

CONSTITUENT ASSEMBLY OF INDIA

Council House,
New Delhi,
18th April, 1947.

From

KHAN BAHADUR S.G. HASNAIN,
Under Secretary.

To

ALL MEMBERS OF THE CONSTITUENT ASSEMBLY

SUBJECT:- Ration Cards for Delhi.

Sir,

In order to minimise inconvenience to Members, I am directed to state that the following arrangements have been made with the Controller of Rationing, Delhi, for the issue of Food Ration Cards and Fuel Permits to Members attending the forthcoming session of the Constituent Assembly who want to make their own cooking and living arrangements and will not be staying in Constitution House or other Government hostel or private hotel:-

1. FOOD RATION CARDS

(i) Members will be required to fill in and sign the application form (Form 'B' enclosed), in advance of their arrival in Delhi and return it to this Office for transmiss to the Circle Rationing Officer.

(ii) Members should be careful to fill in all the required particulars in the form and give their full no correct Delhi addresses.

(iii) The Circle Rationing Officer will arrange to the Ration Cards prepared and send them to this Office for delivery to Members.

(iv) On arrival in Delhi Members will be required to call at this Office to take over, and sign for, the Ration Cards, or when this is not possible, to send a reliable person, with a written authority, to do so on their behalf.

(v) Members are informed that it is permissible to bring one Week's ration of rationed commodities, viz., Rice, Atta and Sugar, with them, and they are advised to do so to avoid inconvenience on their arrival in Delhi.

(vi) Members, who will obtain their requirements of rationed articles from an authorized stablishment, such a catering institution, hotel, restaurant, etc., need not apply for ration cards for themselves, but they must do so for their servants accompanying them, who will have to make their own arrangements.

2. FUEL PERMITS:

(i) Members desiring to have fuel permits may kindly give their full names and Delhi addresses, and sign the enclosed application for fuel ration (other particulars will be filled in by the Rationing Authorities) and return it to this office for transmission to the Circle Rationing Officer who will arrange to get the fuel permits prepared and send them to this office for delivery to Members.

(ii) Fuel will be available at the shops noted on the permits against payment. The following are the fuel shops in the neighbourhood of the residences for the Members:

(i) M/S Moolchand Uday Ram,
F.R.D. 262. (Behind Western Court, New Delhi).

(ii) M/S. Mahabir Coal Co.,
F.R.D.252 (Bengali Mall Market, New Delhi).

Unless indicated otherwise the Circle Rationing Officer will mark these permits on one of these shops. Should any Member desire to purchase his fuel from any other fuel dealer he may mention the name and the No. of the fuel d and the permit will be marked on such dealer.

(iii) The quota of fuel fixed for each member per month is 7 maunds fire-wood, 1½ maunds charcoal, 4 maunds soft coke and 1½ maunds steam coal. This is the maximum quota available to each member, and they may take the whole or any part of it according to their requirements. It will not be possible to surrender one form of fuel and take another. If in a special case, larger quantities are required you may kindly forward an application which will be trarsmitted to the Circle Rationing Officer. In the application reasons for which large quantities are required should be shown.

(iv) Permits for fuel will not be issued to Members residing in hotels, and their servants shall make their own arrangements to get fuel from the nearest fuel dealer on production of their Ration Cards, in the ordinary way.

3. At present, arrangements have been made for the ration cards to be valid up the 157th week of rationing ending on the midnight following the 1st June 1947. If any Member is required to stay beyond 1st June 1947, he may kindly inform this office for making necessary arrangements to get such Ration Cards from the Circle Rationing Officer. It is requested that such intimation should be sent as early as it becomes clear to the Member that he proposes to stay beyond the 1st June 1947.

4. Ration Cards and fuel Permits must be returned to this office by the Members before they leave Delhi.

5. Should any Member require any further assistance in this matter of procuring rationed commodities, he may either write to this office or ring up the Deputy Controller of Rationing on telephone No.6685. The teleph No. of the Circle Rationing Officer No.15 is 7196

I have the honour to be
Sir,
Your most obedient servant,

(S.G.HASNAIN)
UNDER SECRETARY

HVR/500 copies
18-4-47.

CERTIFICATE OF POSTING.

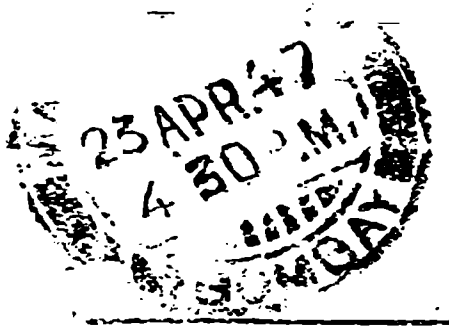
99 A

The *unregistered* articles passed have been posted here this day :—

Description of article.	Exact address on the article.
LETTER	Sir B. N. Rau, Constitutional Adviser, Constituent Assembly, Council House, New Delhi.

Total number of articles (in words) One

Date-s



N.B.—For regarding the use of this form and other information relating to certificates of posting, see below.

Postage stamps to be affixed here.

The sender should enter, in ink, the description and exact value of each article in the places provided on the face of this form. No other entries should be made in the form.

1. The fee charged for a certificate is ½ anna for every three articles or for any less number, and postage is charged at the ordinary rates. The fee should be paid by affixing postage stamps or stamps in the place provided for the purpose.

2. Any certificates which are issued are not registered, and will not be of value unless they have been posted in a letter-box.

4. In the event of loss or damage to articles for which certificates will confer no title to compensation.

5. Certificates furnish no proof of the nature of contents.

6. To obtain complete check in the post, recourse should be had to registration, title to compensation in the event of loss or damage can only be secured by insurance. No valuable article should be sent by this agency.

(IM-1107/24.)

MGIPAh.—2320—23-5-44—21,15,800.

WARNING— li se noffen e buhld with imprisonment and/or fine to make **FALSE STATEMENTS IN THIS APPLICATION.**

FORM B

Circle No.

APPLICATION FOR TEMPORARY RATION CARD.

Serial No.

1. (Name in block letters).....

apply for (a) ration card (s) for the person (s) named in column 3,

2. I/we reside in { Rationing Circle No.....Block .....
Street .....House No.....
Road Block

3.* (Give names of all persons for whom ration cards are required.

u'l Name*with father's or husband's †name (in block letters).	Permanent address outside Delhi.	A	Relationship to head of	Date of arrival.	Probable date of departure	Occupation.

* Initials will not be accepted

Not necessary where a family nam (surname,) is in use.

P. T. O.

FORM B COUNTERFOIL.

Circle No.

Serial No.

Name of applicant.....

Address in Delhi.....

4. Name of head of family with whom staying.....

Seria No..... and Code No.....of his ration card.....

I SOLEMNLY AFFIRM THAT THE INFORMATION SET OUT ABOVE IS TRUE

Date.....194 Signature.....

Date of receipt in Rationing Office..... 194 A.M. / P.M.

Date applicant asked to appear for ration cards..... .....194 . M / P.M.

Report of the Enquiry Office .....

(a) Place where enquiry made.....

(b) From whom made.....

(c) Time and date when enquiry made.....

(d) Result.

Signature of Enquiry Officer.

Serial No. of temporary ration cards issued, if any.....

RECEIVED THE CARD(S),

.....

Initials of delivering Officer. Signature.....

Dated.....194 Date.....

Card Index Section's Report.....

Order of the Rationing Officer (Documents).....

Note:—Applicant asked to appear on..... ...194

This counterfoil should be produced at the following office on.....194 A.M. / P.M.

Signature of the Counter Clerk.....

Date.....194 Stamp of Circle Rationing Office.

Constl. Assembly.

Bombay.
April 22, 1947.

My dear Sir Narsingh Rau,

Today's Times of India reports that the Muslim League has succeeded in inducing the British Government to divide India into Muslim India and Hindu India and the only question which remains to be considered is the method of such division including a corresponding division of the Punjab and Bengal. You will recall the talk I had with you, when we met last in Delhi and I expressed my wish to resign my seat on the Constituent Assembly in the light of the events which had then happened rendering my presence on that body odious and useless. I then went on to add that, if by any chance the Muslim League came into the Constituent Assembly, I would forget all that had passed and remain in my seat to help to prevent further aggression on the part of the Muslim League. It is now clear, however, that the League is not coming in to the Constituent Assembly. It will have a separate Constituent Assembly and a separate Centre. Besides, Pandit Nehru's unfortunate speech against the Mutas, which Mr. Liaqat Ali has so forcibly pilloried in the public press today, may have the effect of antagonising a large group of Indian States. Neither, as a result of this, the bulk of the States will keep out of the Assembly, until the stage is reached as envisaged by the terms of paragraph 19, cl.(i) of the Cabinet Mission's statement of the 16th of May, is a matter of some doubt. The effect is however certain that the sessions of Constituent Assembly will be devoid during its next deliberations on the 14th August later of the co-operation of two out of the three participants, viz., the Muslim League and the bulk of the Indian States. Under these circumstances, I think the time has come for me to tender my resignation which I propose to do in one or two days, citing no grievance or controversial issues. I desire to make no fuss about this matter, but will make my exit very quietly.

I do not regret this decision, for I do not know what useful purpose I could serve on the Constituent Assembly in the present circumstances. If I continue to remain a member, I shall have to record my dissent on all occasions when I feel that things are going wrong. In the present temperament of some of the Congress leaders, every division of opinion among increases hostility, as experience has shown. It will be discreet to avoid, at any rate, such useless and unseemly encounters.

It is a pity that the Constituent Assembly did not listen to my advice not to be in a hurry to pass the objectives resolution until the attitude of the Muslim League was definitely known. You know the

reasons which prompted me to pro.one this course in the form of an amendment. You will also recall that in January last, while withdr.. ing my amendment, I asked to be permitted to address the Constituent Assembly for couple of minutes. I was going to ask them to wait and not vote on the resolution for two days more to be able to see what attitude the Muslim League was adopting at its meeting announced for the 24th of January. If permitted to speak for a couple of minutes, I would have asked the Constituent Assembly not to pass the resolution by 3/4 in 1 vote but to keep it pending until the attitude of the Muslim League was known. But, as you remember, I was prevented from speaking by a summary ruling of the President given without hearing me.

Question is what will the Constituent Assembly do? Will it confine to the wea parts of Pandit Nehru's objectives resolution in the hope that, at some future date, the Muslim League will come in or will it go on to frame a separate constitution acceptable to those parts of India, that will come into the Union. These are vital questions on which I would have liked to make my contribution. But I am convinced from my experience that it is not possible to do so without provoking differences, which means, in the present temper of some of the Congress leaders, piling up hostility which I wish to avoid under present circumstances. I have, therefore, decided to resign my seat in the Cabinet and my parliamentary position will be in the hands of the President in a couple of days' time.

I am sorry that things should have terminated in this way, for I accepted Prime Minister Nehru's invitation, received in London, in the fullest hope of being useful on the Constituent Assembly. But, you know the subsequent events which made it impossible for no fault of mine. My only regret is that the severance of my connection with the Constituent Assembly will deprive me of the pleasure of meeting and having talks with you — a privilege which you know I value very highly. It is, however, some consolation that you will be there, notwithstanding pin pricks, to give proper advice to the Constituent Assembly and its President. It is very generous of you to do so despite all discouragement.

I have not yet decided what I shall do after my resignation. I shall possibly remain in India and devote myself to one or two urgent matters which have been occupying my attention for long time. It is likely that my resignation will be criticised in some quarters and evil motives will be attributed to me, but that

cannot be helped in these days.

There is no prospect of my coming to Delhi in the near future, but it will always be a pleasure to hear from you and keep myself in close touch with your benevolent activities. If you happen to be in Bombay at any time, please do not fail to get into touch with me. It will always be a pleasure to meet or hear from you.

With all good wishes,

Yours very sincerely

Sir B.N. Rau,
Constitutional Adviser,
Constituent Assembly,
New Delhi.

For Insurance Notices see reverse.

Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post and Telegraph Guide on which no acknowledgment is due.

Rs. As.
Date-stamp.

O. 035

Received a registered* _____

addressed to _____

_____

_____

_____

Initials of Receiving Officer

*Write here "letter", "postcard", "packet", "parcel" or "bag" with the word "insured" before it when necessary.

Insured { *Insured for Rs. (in figures)* _____ *(in words)* _____

_____

Insurance fee Rs. ___ *As.* ___ *(in words).* } *Weight* / *Rates* _____ / *Tolas* _____

and { _____

_____

_____

C.A.

Bombay.

23 4 47

The Hon'ble Dr. Rajendra Prasad,
President, Constituent Assembly of India,
Council House,
New Delhi.

Dear Sir,

I hereby tender resignation of my seat as a member of the Constituent Assembly of India.

Yours faithfully

V.P.-54.

Acknowledgment.

(To be returned to office of posting for delivery.) 35

RECEIVED a registered* letter #15

addressed to (name) The Hon'ble Dr. Rajendra Prasad,
President, Constituent Assembly
of India,
Council House, New Delhi.

†Insured for Rs.

†Weighing (in words)

Signature of addressee

Date of delivery

* Write here "letter," "postcard," "packet," or "parcel," as the case may be, preceded by the word "insured," if the article is insured.

† To be filled up only in the case of insured articles, and to be ignored in the case of other articles.

M&SRP Ab—1943—18-9-43—25,000. [M. A.-2

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

To

Sender's name and address.

The Rt. Hon'ble M.R. Jayakar, P.C.,
Ashram, Malabar Hill, ~~Amber Road~~
Bombay 6.

Constituent Assembly.

April 29, 1947.

From

The Rt. Hon'ble M.R. Jayakar, P.C.

To

The Administrative Officer,
Telephone Revenue,
Delhi Telephone District,
New Delhi.

Dear Sir,

I received here on the 25th, your notice in duplicate requiring payment of Re.0-12-0 with a 40% surcharge of 0-4-0, apparently for a trunk call, made from 26, Western Court, New Delhi. The notice does not state any details at all about the call and in the coloumns 'date of the call', some abbreviations are used, which I cannot follow. With regard to the use of the telephone from 26, Western Court, as your demand alleges, I may mention that correspondence passed in this behalf between me and the District Manager, Delhi Telephone District, in which I pointed out that I had no occasion to use the said telephone at an time, as I never stayed at 26, Western Court. You may refer to this correspondence, my letter of 1st February 1947 and the reply of the District Manager, Delhi Telephone District, dated 5th February, in which, as a reply to my letter, the

P.T.O.

— Constituent ...y.

Bombay.

April 29, 1947.

From

The Rt. Hon'ble M.R. Jayakar, P.C.

To

The Administrative Officer,
Telephone Revenue,
Delhi Telephone District,
New Delhi.

Dear Sir,

I received here on the 25th, your notice in duplicate requiring payment of Re.0-12-0 with a 40% surcharge of 0-4-0, apparently for a trunk call, made from 26, Western Court, New Delhi. The notice does not state any details at all about the call and in the coloumns 'date of the call', some abbreviations are used, which I cannot follow. With regard to the use of the telephone from 26, Western Court, as your demand alleges, I may mention that correspondence passed in this behalf between me and the District Manager, Delhi Telephone District, in which I pointed out that I had no occasion to use the said telephone at an time, as I never stayed at 26, Western Court. You may refer to this correspondence, my letter of 1st February 1947 and the reply of the District Manager, Delhi Telephone District, dated 5th February, in which, as a reply to my letter, the

P.T.O.

District Manager writes that the Bill, of which payment was sought, "may be treated as cancelled since the connection was not used though installed on information received through the Constituent Assembly Department". Under these circumstances, you will realise that, I having never used the said telephone, no charges can be due from me as claimed in your bill.

Yours faithfully

A.C. E.-99.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

TELEPHONE TRUNK CALL BILL.

Dec '25 4-47

Important:—If payment is not made within seven days of the rec of this bill, the Trunk Co of the subscriber will be closed a the right is reserved to disconnect the Teleph

ALLOTMENT	CONNECTION 'PHONE No.	BILL No.
49	Pvt-8107	10807 T. C.

Rt Honble Lt. M.R Jayakar
M.L.A
~~26 Western~~ Court
~~New Delhi~~
Aska

Head Office Date Stamp

Accounts Officer,
Central Telephone Exchange,
DELHI.

AGED

CALLING 'PHONE No. MDS107 IND. STATE

PERIOD OF THE BILL 16/31.3.47

DATE OF CALL	CODE NAME OF EXCHANGE AND 'PHONE NO. CALLED	AMOUNT Rs. As. P.
20	KPT 2	0 12 P
40% SUR CHARGE		0 4 0
		1 0 0

H = Halfrate
P = Patrolu

[For use by Government subscribers if this bill [illegible] isted by book transfer.]

Returned to the Central Telephone Revenue Accounting Office, Delhi.

The Charge of Rs.....is accepted and [illegible] be adjusted by (Accounts Officer)

.....under the head

Dated..... [illegible] Officer.

Payment of this bill may be made in cash or by cheque drawn on [illegible] n Bank, to any [illegible] sub-p office in a place where there is a telephone system, but preferably at the principal Post Office [illegible] s functi [illegible] dity the Telephone Exchange. When payment is made, both copies of the bill must [illegible] presented t the [illegible] aster the Counter C [illegible] who will at once impress both the copies with Post Office [illegible] stamp and return one copy wit separat [illegible]

Cheques drawn on any well-known Bank may be accepted from [illegible] eph [illegible] ers. Demand Banks may also be accepted. Cheques and demand drafts should be drawn [illegible] f the Post Postmaster or Order. The cheques should be crossed in all cases. Post-dated chec [illegible] ues in pa Bills will not be accepted. The Department accepts no responsibility for any [illegible] cur through the post.

Cheques should be dispatched on or before the due date for payment. With the cheques, a copy of each bill to settlement should be sent. Subscribers will be entirely responsible for the acceptance of their cheques by the Ba on which they are drawn and in the event of the cheques being dishonoured or rejected by the Banks, service w withdrawn without notice by the Telephone Revenue Accounting Officer concerned.

[illegible]

A.C. E.-09.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

TELEPHONE TRUNK CALL BILL.

Rec'd 25.4.47

Important:—If payment is not made within **seven days** of the receipt of this bill, the Trunk Service of the subscriber will be closed and the right is reserved to disconnect the Telephone.

EXCHANGE	CONNECTION 'PHONE No.	BILL No.
[illegible]	[illegible]	[illegible] /T. C.

[illegible]

DATED [illegible]

CALLING 'PHONE No. [illegible] DEL. STATE

PERIOD OF THIS BILL [illegible]

DATE OF CALL	CODE NAME OF EXCHANGE AND 'PHONE NO. CALLED	AMOUNT Rs.
20	KPT 2	0 12 P
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	TOTAL AMOUNT	[illegible]

{ H = Half
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NEW DE
DELHI TELEPHONE DIST
TELEPHONE REVENUE
ADMINISTRATIVE OFFIC

Post Office Date Stamp.

Accounts Officer,
Telegraphs Revenue
Office, Delhi.

[For use by Governm[illegible]scribers if [illegible]d is to [illegible]e adjusted by book transfer.]

Returned to the Central Telephone Revenue Acc[illegible]unting O[illegible]ce, De hi.

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Cheques drawn [illegible] [illegible] Bank may be accepted f[illegible]om teleph[illegible]ne [illegible]s [illegible] [illegible] Banks may also be ac[illegible]p[illegible]ed. [illegible]eques and demand drafts should be drawn f[illegible] th[illegible] Postmaster or Order. The cheques should be crossed in all cases. Post-dated che[illegible] [illegible]heques [illegible] [illegible]t[illegible] bills will not be accepted. The Department accepts no respons[illegible]ility [illegible] any [illegible] mis[illegible] [illegible]eq[illegible] through the post.

Cheques should be dispatched on or before the due date f[illegible] [illegible]yment. With the cheque, a co[illegible]y of each bill and settlement should be sent. Subscribers will be entirely responsible for the acceptance of their cheques by the Ban[illegible] on which they are drawn and in the event of the cheques being dishonoured or rejected by the Banks, ser[illegible] may withdrawn without notice by the Telephone Revenue Accounting Officer concerned.

[illegible] [illegible]

[illegible] [illegible]

GOVERNMENT OF INDIA
ESTATE OFFICE

From

Rai Sahib G. T .Meshram,
Estate Officer.

To

The Rt. Hon. M.R.Jayakar,
Winter Road,
Malabar Hill, Bombay 6.

No. 582 E.O.XI. Dated New Delhi, the 19th April '47.

Dear Sir,

Your letter dated 18.4.47. The allotment of M.L.A.Bungalow No.33-Ferozeshah Road made to you vide this office tele gram No.582-E.O.XI. dated 17th April '47 is withdrawn.

Yours faithfully,

for ESTATE OFFICER.

20-4-47

No. CA/3/Asy/47.

CONSTITUENT ASSEMBLY OF INDIA

Council House,

New Delhi, the 29th April, 1947.

From

H.V.R. Iengar, Esq.,C.I.E.,I.C.S.,
Secretary.

To

The Rt. Hon'ble Dr. M.R. Jayakar, P.C.,
Winter Road,
Malabar Hill,
Bombay 6.

SUB: RESIGNATION OF MEMBERSHIP OF THE CONSTITUENT ASSEMBLY OF INDIA.

.....

Sir,

I am to acknowledge receipt of your letter dated the 23rd April, 1947, and to say that the Hon'ble the President has accepted your resignation of the membership of the Constituent Assembly of India.

I have the honour to be,
Sir,
Your most obedient servant,

(H.V.R. IENGAR)
SECRETARY.

'JAIN'

Karnatak Provincial Congress Committee, Hubli.

Ref. No. 478/47 Dated 25—4—47

Dear Friend,

I am herewith enclosing for your kind information a copy of the resolution passed at the Convention held at Hegde in Karwar District consisting members of the Karnatak Provincial Congress Committee, members of Legislatures of Bombay, Madras, Mysore, Coorg and concerned states of Deccan and Bangalore Cantonment and also Presidents of all Municipalities and District Local Boards and Karnatak Chambers of Commerce, Banks and also other important public men of Karnatak. The desire for a unified Karnatak consisting of areas both in the British Provinces and States is growing in volume. The resolution is an expression of its intensity. A resolution is to be moved in the Constituent Assembly regarding formation of Provinces on linguistic and other basis. This demand is shared by most of the Provinces. I request and hope that you will kindly see your way to support the resolution in the Constituent Assembly when it comes up.

S. Nijalingappa,
President of the Convention.

All Karnatak Unification Convention, Hegde, dated 20-4-47.

RESOLUTION.

" While fully endorsing the view expressed in the resolution adopted by the first All Karnatak Unification Convention at Davangeri, this Convention resolves that the Constituent Assembly should bring into existence all necessary machinery including the Boundary Commission with a view to give effect to the principle of formation of linguistic Provinces and declares that no constitution that does not provide for a separate Karnatak Province shall be acceptable to Kannad people "

DAVANGERE RESOLUTION

Without prejudice to the immediate formation of Karnatak Province consisting of the British Karnatak areas, this Convention of the representatives of Karnatak including the British Karnatak States, hereby declares that alround development would not be achieved without a common Government — Federal or otherwise for the entire without distinction of British Karnatak or State Karnatak — Kannad people.

To facilitate such a common Government for the whole of Karnatak this Convention is of the opinion that it is absolutely necessary to establish democratic and responsible Governmeut in all the native states and further requests the Rulers of those states to cooperate with us in this task. "

" This Convention strongly urges the Constituent Assembly to take up the important question of the formation of provinces on linguistic basis and to take immediate steps to constitute Karnatak into separate Province "

" This Convention appoints a committee, with powers to co-opt consisting of the following members to take all further steps towards the fulfilment of the object of the above resolution "

1. Sjt. M. P. Patil
2. Sjt. S. Nijalingappa
3. Sjt. K. B. Jinraj Hegde.

V. P. P. H.

THE YOUTH CHRISTIAN COUNCIL OF ACTION.

WORKING COMMITTEE.

Rev. Dn. N. M. Thomas, *(President.)*

K. K. Chandy, (*Vice President*)
V. T. Chandapillai, (*Secretary*)
K. M. Mammen, (*Treasurer*)

P. P George.
M. Kurian.
K. C. Mathew.

Christavasram, Manganam,
Kottayam, Travancore,
South India.

30th April *1947.*

To

Dr. Jayker,
Winter Road,
Malabari Hill, Bombay.

Dear Sir,

As Secretary of the Working Committee of the Youth Christian Council of Action, I have been directed to communicate the following resolutions regarding the solution of the communal problem, that were passed unanimously at the conference that met at Manganam between the 14th and 21st April of this year. The committee forwards them to all the great leaders of our beloved land in the fervent hope that they will be found worthy of their deep consideration, and eminently desirable as a way out of the present impasse. The Youth Christian Council of Action, though consisting mainly of christian youth of the different churches in Kerala, is not exclusively a mere youth movement and in these resolutions it seeks to give expression to their deepseated and sincere desire for a reasonable settlement of the issues arising out of the present communal conflicts. Inspired as they are by freedom from communal partialities it is hoped that they will be found acceptable. It is love of our motherland and of the various communities and respect for their respective leaders that has moved this conference to formulate these resolutions, and in this spirit the committee prays that they will be received and considered as its humble contribution.

I remain,
Yours sincerely,
In the service of our country,

V. T. Chandapillai

Secretary.

Resolution on the Communal problem in India passed unanimously at the Annual Conference of the Youth Christian Council of Action.

"The Youth Christian Council of Action, assembled in conference in Manganam from 14th to 21st April, 1947, was very much exercised over the growing communal tension in the country and is afraid that if this is allowed to continue it might ultimately mean the division of India into several independent sovereign States or Sthans, with all its inherent and concomitant dangers. The conference considered this matter at several of its sessions and felt that the danger of disrupting the unity of India must be avoided at all costs. This may mean considerable sacrifice on the part of all communities, sacrifice of deep and cherished ideas which they considered to be vital and important. They feel that in the face of this danger that is threatened, the country may have to resort to remedies which are radical and unprecedented.

Having studied the causes of the tension, we feel that at the back of the whole problem is **fear,** the destroyer of all growth and progress, **fear** that a united India whose affairs will be conducted by "arithmetic" democracy will mean the dominance of one community on other communities, which will further mean that the minority communities will be deprived of the freedom to live their own life, to develop their own religious, cultural and social life to have their own social and other institutions, and above all the personal freedom of their members.

The conference feels that if the country has to preserve its integrity, she must evolve a constitutional arrangement which will at once guarantee the integrity of the country and assure every community inhabiting the land, the freedom to live unhampered its cherished way of life.

We therefore venture to place before the leaders and their political parties and communities the following outline of the composition of legislatures, both Provincial and Central. In making this recommendation we are only suggesting the composition of legislatures which we consider to be the most vital. For that purpose we suggest the division of the population of the country into the following distinctly different religious groups:—

1. Hindu—including Brahmins, non-Brahmins, Harijans, Jains, Budhists, Aryasamajists, Brahmosmajists, and all those who claim to be Hindus.

2. ~~Muslims—Sunnis, Shiahs, Wahabis Ahamadiyas etc.~~

3. Christians—Roman Catholics, Protestant Churches, Syrian Christians, Anglo-Indians etc.

4. Sikhs.

5. Parsis.

6. Jews and other Communities.

The country to be divided into linguistic Provinces. Each linguistic area will be a distinct administrative Province having an Upper House (Legislative Council) and a Lower House (Legislative Assembly.)

With reference to the Lower House, the Legislative assembly, the existing electoral arrangement will continue, namely each group being given representation according to its population strength.

With reference to the Upper House, or Legislative Council, each distinct religious group as defined in the Preamble will be given equal number of seats irrespective of their numerical strength. The Upper House or the Legislative Council will be a checking agency, by which is meant that they will safeguard the interests of all religious groups, make sure that no discriminative legislation or bill detrimental to the interests of any particular religious community is passed. Any legislation or Bill affecting any particular religious community will be passed only on the votes of the community concerned. Their votes shall be the deciding factor. If there is dispute as to whether any particular Bill affects any community or not will be decided by reference to the High Court of the Province or any Judicial authority statutorily provided for in the constitution.

With reference to the Central Government we recommend the same arrangement that the Lower House or Legislative Assembly will be elected on a proportion basis each community having representatives according to its numerical strength, whereas in the Upper House or Legislative Council each distinctly religious community defined in the Preamble will have an equal number of seats. The functions of the two Houses will be the same as in the Provinces.

We further recommend that steps be taken at once all over the country to form inter-religious or inter-communal fellowships or groups, which will meet regularly and help in bringing about real and appreciative understanding of each other's religious, cultural and social life, thus paving the way for a real united India."

The Youth Christian Council of Action,

21—4—1947.

Christavasram,
Manganam, Kottayam,
Travancore.

DAILY NEWS PRESS, KOTTAYAM.

Ord

INDIAN POSTS TELEGRAPH DEPTT.

Counter copy

From :- The Administrative Officer,
~~Delhi Telephone Distt.,~~
Delhi.

To :- Rt. Honble, [illegible], I.C.S.,
[illegible],
[illegible].

No.T-46/21 dated at Delhi the .7.

Sir,

I have the honour to bring to your notice that in the circumstances stated therein, the charge in the bill dated [illegible] for Rs. 1/- has been [illegible].

I have the honour to be,
Sir,
Your most obedient servant,

P Srinivasan 3/5/47
Administrative Officer,
Delhi Telephone District.,
Delhi

Consti. Assembly.

Bombay.

May 10, 1947.

My dear Sir Narsingh Rau,

This is just a line to enquire whether you received my letter sent from here on the 22nd of April, in connection with my resignation. I have yet received no reply and not even an acknowledgement, which is somewhat rare in your case with your usual habits of courtesy and regularity; hence this enquiry. The letter was despatched under a posting certificate.

With kind regards,

Yours sincerely

M.R.J.

Sir B.N. Rau,
Constitutional Adviser,
Constituent Assembly,
Council House,
New Delhi.

Grand Hotel
Simla

May 14, 1947.

My dear Dr. Jayakar,

I owe you an apology for not replying earlier to your letter which I found awaiting me on my return from a tour to the Lushai Hills towards the end of last month. The fact I had a great deal to say to you and, owing to the Constituent Assembly session and its aftermath, have had no time to write a proper letter until now. I have come here for a few days - partly to escape from the heat of Delhi and partly to do a little quiet thinking. I hope to stay here until the end of the month, unless something unforeseen happens and I am summoned back to Delhi.

As to your resignation, I need not say much, because you had prepared me

for it even before you left Delhi after the last
Session of the Constituent Assembly. There will be
many like myself who will regret it; but it
was inevitable in the circumstances. I do hope,
however, that you will manage to see the city
from outside, because I shall really feel that
this partition will affect
love men like you. No one knows exactly
what is going and I do not like this
at all. I am
very sorry and
prepared towards
the end of March. I have shown it to those in
authority in various places briefly what it comes
to is this — Before you finally divide India,
as in England — Scotland plan about the Central
and its Provinces like Bengal, Bihar, Punjab
one Legislature, one Cabinet one Executive Head,
but separate administration to the maximum
extent possible, so that the cause of friction
are reduced to a minimum. England &
Scotland still form a single United Kingdom,
although for a large number of subjects,
including police, administration of justice (except

for the ultimate Court of Appeal, the House of Lords, which [illegible] education in Scotland has a separate administration. The memorandum has had [illegible] one high authority almost [illegible] however, I should greatly value your criticism of the entire scheme set out in the memo. My confident hope is that if it is tried for even a year, people will not want a complete Division with all its complications. The other merit of the scheme is that it can be given effect to even under the present Constitution and by mere framing new rules of business — which can be done in a single day.

I have to stop here, if I am to catch to-day's post as I am anxious to do.

With kindest regards

Again many apologies for the delay in answering your letter

Yours very sincerely

R Haldane

for it even before you left Delhi after last
Session of the Constituent Assembly. There is the
many like myself who will regret it but it
was inevitable in the circumstances. I do hope,
I know, that you will continue to serve the country
from outside, because I honestly think that in
the particular Indian scene at the present
how men like you No one knows exactly
is coming and I do not like the look of things
at the moment I am sending you
a copy of prepared towards
the end of March I have shown it to those in
authority in various places briefly, what it comes
to is this = Before you finally divide India,
by the England – Scotland plan both in Centre
and in Provinces like Bengal & the Punjab
one Legislature, one Cabinet one Executive Head,
but separate administration to the maximum
extent possible, so that the occasions of daily
friction are reduced to a minimum England &
Scotland still form a single United Kingdom,
although for a large number of subjects,
including police, administration of justice (except

for the Judicial Court of Appeal, the House of Lords, which is common to (both), education in Scotland has a separate administration. The memorandum has had [illegible]; I am afraid that [illegible] regional [illegible] to take [illegible] In the [illegible] In fact, one high authority almost [illegible] However, I should greatly value your criticism of the entire scheme set out in the memo. My confident hope is that if it is tried for even a year, people will not want a complete division with all its complications. The other merit of the scheme is that it can be [illegible] effect to even under the present Constitution and is merely framing new rules of business — which can be done in a single day.

I have to stop here, if I am to catch to-day's post as I am anxious to do.

With kindest regards and again many apologies for the delay in answering your letter,

Yours very sincerely

R Haldane

Consti. Assembly.

Bombay.

May 19, 1947.

My dear Sir Narsingh Rau,

I thank you for your letter of the 14th, which reached me this afternoon after my return from Poona, where I had gone to preside at the greater aharash ra Conference. I am glad that you are in Simla at the excellent Grand Hotel, which for me has many memories of pleasant legislative life. I am glad you do not disapprove of my resignation. As you say, it was inevitable and has the merit of my avoiding greater embarrassments throughout. Curiously enough, a short time after I had sent my resignation -- perhaps it was reported by Reuters to London -- I got a very cordial invitation from the Lord Chancellor conveyed through the Secretary of State to the Governor of Bombay, inviting me to spare time to attend, like last year, the summer session of the Judicial Committee and assist in the disposal of appeals pending before that Board. After some deliberations, I accepted the invitation which I thought would employ my time more usefully and certainly more pleasantly than in the Constituent Assembly. The Governor of Bombay was very helpful and, with his assistance, I have been able to secure a fast air passage from Karachi to London. I leave Bombay early morning on the 28th, stop at Karachi till midnight and then take off reaching London early morning on the 30th, which is indeed very quick work. Shortly on reaching London, I start work and go on right through the term ending with the 31st of July. I understand that some very important and heavy cases are coming up during this session and I shall have the satisfaction -- as my friend Srinivasa

Varadachari observed on the day of my discomfiture before the Constituent Assembly begging leave to be heard for two minutes more — of disposing of important questions of Hindu law, of which I know something. I would like you sometimes to glance over my judgment and let me know what you think of them. This may perhaps be the last time I will sit on the Judicial Committee.

My opinion has been asked as regards the disposal of cases pending before the Judicial Committee and whether arrangements could be made for their disposal by the Judicial Committee, notwithstanding the passing of a free constitution by India by June 1948. There is another proposal that, notwithstanding, the final disappearance of British rule from India in June 1948, a clause should occur in the Treaty retaining the Privy Council jurisdiction either exclusively or optionally for another period of ten years. I have expressed myself against this latter proposal, but feel inclined to accept some arrangement in respect of pending cases where the paper-book has been printed, counsel and solicitor retained and paid and interlocutory applications etc heard and decided. I should be interested to know how you feel about this matter. It is impossible to put an abrupt end to the Judicial Committee as the final tribunal of appeal. Apart from the violent wrench it will give to the legal system of India, litigants will have to incur the cost once more and will have a grievance on that account. It will be a pity that the Privy Council completely disappears, for we can never expect to get a tribunal of such learning, firmness, impartiality and detachment. However, we are in the

throws of a new constitution, good or bad, and I suppose enthusiasts will not allow the Privy Council to survive a day longer than the due date. I shall be delighted to know how the work of the Constituent Assembly is going on, for I take a pathological interest in its concerns. I regret, like you, that I had to sever my connection with it at the earliest date. So write to me occasionally when you have time to the care of the Judicial Committee of the Privy Council, 9-Downing Street, Whitehall, London, S.W.1.

With kindest regards,

Yours sincerely

M.R.J.

Sir B.N. Rau,
Grand Hotel,
Simla.

No. 1

Memo 14.5.47

SECRET.

The Next Step.

The Prime Minister's tatement of February 20, 1947, in the House of Co. ons has made it clear that power in India is to be transferred to responsible Indian hands no later than June 1948.

2. Transference of power implies the existence of a regular organ of government which can be transferred or, in other words, a kind of provisional Government if only provisional

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does not com into the Constituent ly. If unde the

Statement of December 6 1946, any Constitution that may be framed by that Assembly wi l not binding upon the "unwilling parts of the country". How th unwilling parts wi l be determined and what

Constitution they will have is at present unknown. One thing, however, seems to be reasonably certain, namely, that there will be some kind of division of India. If this happens, the task of framing a new Constitution, even for the willing parts, with all its immense mass of detail will become formidable. The defence forces will have to be divided, the all-India Civil Services will have to be redistributed, property and liabilities of all kinds will have to be apportioned. We cannot yet tell how many new sovereignties there will be - at least two, possibly more. The treaties now subsisting between the Crown and the Indian States will have to be revised and renewed between the States and some or all the sovereignties. There will also have to be agreements as to the new parts of India inter se relating to defence, external affairs, communications, customs and other matters of common concern. Boundaries between the new parts will have to be determined, perhaps by a Boundary Commission. If there is to be adult franchise under the new Constitution, machinery for the new legislatures will have to be got ready and a multitude of other details will have to be settled. It is doubtful, to say the least, whether all this can be completed by June 1948.

5. The separation of Burma was a simpler affair, but took several years of preliminary work. A great simplifying factor in the Burma problem was that His Majesty could make readjustments from time to time by Order in Council even after separation. No such expedient will be available to readjust relations between the different sovereignties in India, for the Crown will cease to exercise any function.

6. If, for the reasons, a final constitutional structure is not ready before the due date, what then? We shall obviously have to have a provisional Constitution ready. Certain features of such a provisional Constitution are inevitable:-

(1) Since, ex hypothesi, a Constitution for a divided India is not ready, the Provisional Constitution will have to be for an undivided India during the transitional period, until all

the details have been completed for the ultimate division including the framing of the Constitutions for the different parts, after which the final Constitutions will be brought into force.

(2) Since the "unwilling parts" have not yet declared whether they would like to have independence inside or outside the Commonwealth, the provisional Constitution, which, as already pointed out, has to apply to these parts, as well others will necessarily have to be for an independent India within the British Commonwealth: in other words, for an India with full Dominion status.

(3) The provisional Constitution must have the backing of the main elements in the country, if there is to be peaceful transfer of power ever to provisional government. Of course once it is made clear that the ultimate constitutional structure will proceed on the basis of a divided India and will be such as to involve no coercion of unwilling areas, agreement on the provisional structure may be easier to obtain.

These seem to be the inescapable conditions the problem.

7. Assuming then, that the Muslim League does not change its decision not to participate in the Constituent Assembly, we have to take steps not only for framing a final Constitution, but also for framing a provisional Constitution satisfying the above conditions, in the event of the final Constitution not being ready.

8. These conditions do not make the problem more difficult. On the contrary, they might make it easier in many respects. It is obviously easier to frame a Constitution for an undivided India than for a divided India. Again, if the interim Constitution provides for an India within the Commonwealth, the sovereignty of the Crown will remain for the time being, and the treaties (including engagements, sanads, and other instruments) now subsisting between the Crown and

cept haps to para- ntcy)

the Indian States will not lapse*; the functions of the Crown arising out of them will continue, the only difference being that instead of being discharged as at present on the advice of a Political Adviser outside the Central Government, they may have to be discharged on the advice of a responsible Minister of the Central Government. We shall thus be spared the necessity for an immediate detailed revision of existing treaties or the immediate negotiation of new ones. It is possible that the Rulers [illegible] certain safeguards if their functions are to be discharged on the advice of a responsible Minister It should not be difficult to arrive at a reasonable arrangement in this matter by discussion with those concerned.

9. The most important of the three conditions mentioned in paragraph 6 is the third one, namely, that the provisional Constitution must have the backing of the main elements in the country. From this point of view, the arrangements under the existing Constitution have proved to be defective. Recent events have shown that minorities in various Provinces require better protection than they can get at present; at the Centre, Muslims have often expressed their fear of being dominated by the Hindus. If the provisional Constitution is to have the support of the main elements in the country, it must be such as to reduce these fears on opposite sides to a minimum. The Cabinet Mission's plan of May 16, 1946, took note of the fears of domination at the Centre (see para 12 of the Statement of May 16, 1946); and the obvious way to reduce similar fears in the Provinces is to extend the same idea to the Provincial sphere.

10. It will be remembered that the essence of the Cabinet Mission's plan is to maintain a single Centre for the administration of a minimum number of subjects on an All-India basis, while the remaining subjects are to be dealt with on a regional basis. If we follow the same plan in the Provinces, we must provide that where a Province contains distinct regions (whether racial or religious or linguistic), most of the provincial subjects may be dealt with on a regional basis and only the

remaining few on a provincial or joint basis.

11. It may be mentioned here that in certain matters a regional basis of administration obtains even in the United Kingdom, although there is a single Cabinet. All the Ministers there do not exercise their functions uniformly in the different parts of the Kingdom. For what may be called national purposes (Army, Navy, Air Force, Foreign Relations, Treasury etc.) there are common Ministers for all parts; but for other purposes there are special Ministers for special regions. For example the departments of health, agriculture, police, prisons and education for Scotland are administered by the Secretary of State for Scotland and the separation has gone so far that the main department and an Under-Secretary have their headquarters in Edinburgh, although the Secretary of State is in London. The separation is even more far-reaching in the case of the Judiciary, Scotland being completely independent except for a common Supreme Court of Appeal in the House of Lords. Even in the sphere of legislation, there is some measure of regionalism in the United Kingdom. Thus all Bills relating exclusively to Scotland are referred, after reading to a Grand Committee consisting of the whole body of Scottish members, with the addition of 15 others specially responsible for each Bill.

12. It is interesting to note that a rather similar plan appears to obtain in the Russian Constitution. The central departments (called the People's Commissariats) are of two classes the all-Union departments (called the all-Union People's Commissariats) and the regional departments (called the Union-Republican People's Commissariats). the subjects requiring to be dealt with on an all-Union basis are administered by the former and subjects requiring regional administration by the latter. [See Articles 74-78 of the Constitution of the U.S.S.R.]

13. There is therefore nothing novel in this idea; it only needs to be adapted to Indian conditions. If we examine the matter, we shall find that the idea can be carried out to a surprising extent, both at the Centre and in the Provinces, even under the existing

Constitution.

14. Let us first consider the Provincial sphere. Under section 50 of the Act of 1935, the Governor of each Province has a Council of Ministers to aid and advise him in most Provincial matters. Under section 59, he is required to make rules for the more convenient transaction of the business of the Provincial Government and for its allocation among the Ministers. The rules at present in force make a subject-wise allocation on Provincial basis: that is to say, there is a Minister for Education for the whole Province, there is another for Public Works and on. Where a Province is homogeneous in character, this distribution may well be the best; but not if the Pro contains two more sharply-contrasted regions. For simplicity, sup there are only two such regio predominantly Muslim region A and predominantly non-Muslim B. many Provincial subjects such as education, agriculture, local self-government, the two regions may have divergent interests and needs; let us call these "Regional subjects". There may, however, be a few subjects as to which their interests or ne cannot be divided, e.g Finance or Irrigation from non rivers the High Court; we may refer to th "Joint subjects". In the circ t the Governor may find it possible nd convenient to make regi allocation of the business latin to onal subjects: that is to say he may within one and the same Cabinet have set of Ministers exclus ~~to advise him on the regional subjects of A; another set of Ministers~~ exclusively to advise him on the regional subjects of B; and both sets of Ministers together, in other words, the entire Cabinet, to advise him joint subjects. Which are to be joint subjects which regional in a given Province will depend upon local circumstances and how exactly joint subjects marked for the entire Cabinet are to be dealt with is a matte ~~for local discussion. If the number of joint subjects is small, they may~~ all be dealt with by a single sub-committee of the Cabinet consisting, l us say, of the Prime Minister and the Deputy Prime Minister, cases goin the entire Cabinet only where these two differ. If the Prime Minister is of region A, the Deputy Prime Minister should be of region B and vice ver

There are variants of this plan possible; the Governor can frame his rules to suit the requirements of his particular Province so as to secure the maximum of regional autonomy. If there is any area in the Province which is neither markedly Muslim nor markedly non-Muslim, it can be treated as "joint territory" and any business relating thereto as a "joint subject". As already indicated, there will be a single Cabinet with a Prime Minister and a Deputy Prime Minister, subject to a convention that if the Prime Minister is a Muslim the Deputy Prime Minister will be non-Muslim and vice versa. There will also be a single Legislature for the whole Province but a convention should be established that when legislation relating exclusively to a regional subject of one of the regions is under consideration, the members representing territorial constituencies of the other region should abstain from voting.

15. Let us next consider the Central Government. Here the plan that has come nearest to acceptance by all parties is the Cabinet Mission's plan of May 16, 1946, and the question therefore is how far that plan can be carried out under the existing Constitution. Like Governor in the Provinces, the Governor-General at the Centre has power to make rules for the convenient transaction of business in his Council (see section 4 of the Government of India Act Schedule to the Act of 1935). In framing the rules, treating groups referred to in the plan, or any other groups that may be more acceptable as distinct regions. The essence of the plan, as already stated, is that subjects, broadly categorised as Defence, Foreign Affairs and Communications together with incidental Finance [illegible] for the present may include all Finance under this head should be treated on an all-India basis and the rest on a regional basis. At present, the Centre deals with these other subjects also on an all-India basis: e.g., there is a single member for Education for the whole of India, a single member for Labour for the whole of India and so on. There are doubtless advantages in this kind of centralisation, but the Cabinet Mission's plan has recommended a different course in order to secure regional autonomy to the largest possible extent, and we are now trying to show how this plan can be carried out under the exist

Constitution. To carry it out, we shall have to divide the existing Central departments into two classes:-

(1) All-India departments, comprising the subjects connected with Defence, Foreign Affairs and Communications and provisionally including all Finance.

(2) Regional departments comprising the rest.

Certain members of the Cabinet will be in charge of (1) for the whole of British India, the rest will form what we call the Ministry of the Interior, of which there will be a branch for each region. Each branch of the Ministry of the Interior will deal with the regional departments for that particular region. Thus, there will be a single Minister for Defence for the whole of British India as at present; but instead of there being a single Minister for Education and one for Agriculture and one for Public Health - for the whole of British India in each case - there may be one Minister in charge of all 3 for the territories of Group A, another Minister in charge of all subjects for Group B, and another Minister in charge of all 3 subjects for Group C. The total number of Ministers need not be increased, i. this is considered undesirable only their duties will be allocated differently. A redistribution of work along these lines can be made under the existing Constitution; it would correspond roughly to the division of work in the U.K. Cabinet with respect to England and Scotland and to division of work under the Russian Constitution between the All-Union People's Commissariats and the Union-Republican People's Commissariats.

There will of course, as in the Provinces, be a single Cabinet with single Prime Minister and a Deputy Prime Minister; when the Prime Minister is a non-Muslim, the Deputy Prime Minister will be a Muslim and vice versa. As in the Provincial sphere, a convention should be established that with legislation in respect of a regional subject appertaining exclusively to one of the regions is under consideration, members representing territorial constituencies of the other regions should not vote.

16. If the Central and Provincial departments are so arranged as t

secure the maximum of regional autonomy, the fear of domination of one region by another would be reduced to a minimum, and, since this can be done even under the existing Constitution, the provisional Constituti that we have envisaged need not, in this respect, contain much that is new.

17. Indeed, redistribution of departments both at the Centre and in the Provinces on the lines suggested in the above paragraphs may be immediately advisable. As already pointed out, this an be done under the existing Constitution and it will ve the following advantages:-

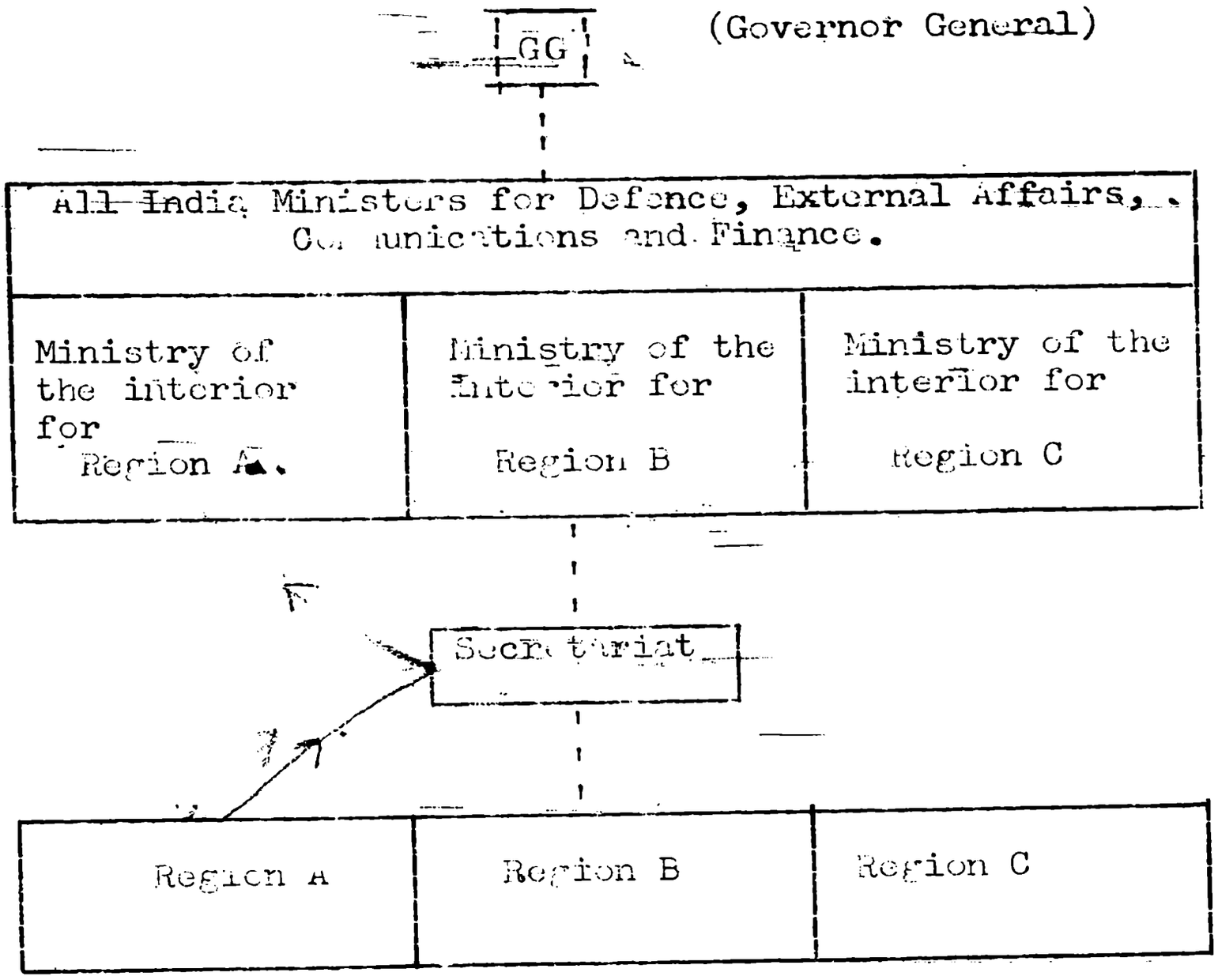
(1) It may succeed in healing the existing differences whether at the Centre or in the Province

(2) It will reveal the difficultues, if any, in more far-reachin schemes of partition or separation including the Cabinet Mission's plan.

(3) If the redistribution proves inconvenient in any rticular, it can be immediately amended by mending the rules of busine if necessary it can be entirely scrapped and the status quo nt restored.

18. The re-distribution will not require the im di te splitting up of the Secretariat or the subordinate administrative machinery. Pictorially, for the Centre, it will appear as in the chart below, arrows showing the progress of ca on an all-India subject (red) and of another on a regional subject (blue). To save confusion, the arrows have been drawn only for one region; the position with regard

to other regions is similar:-


GG
(Governor General)
All India Ministers for Defence, External Affairs, Communications and Finance.
Ministry of the interior for Region A.
Ministry of the Interior for Region B
Ministry of the interior for Region C
(Council of Ministers
Secretariat
Region A
Region B
Region C

19. It is essential that if a redistribution of work is made as suggested in paragraph 17, it should be made everywhere at the same time, at the Centre and in those Provinces where there are discrete regions, so as not to give ground for any suspicion that it is intended to benefit any particular community. The plan, if adopted, should be adopted at once as a whole

B.N. Rau
Constitutional Adviser.

March 31, 1947.

No. 1950
Legislative Assembly Office,
Council Hall,
Bombay, 4th July 1947.

From

The Secretary to the Bombay Legislative Assembly;

To

The Right Hon'ble Dr. M. R. Jayakar,
M.A.,LL.D., D.C.L.,P.C.;

Sir,

In view of your resignation as a representative of the Province of Bombay on the Constituent Assembly, I am directed to request you to return to this office the document of credentials issued to you under the signature of the Hon'ble the Speaker.

Your obedient servant,

(S. K. Sheode)
Secretary to the Bombay
Legislative Assembly.

Indian Independence Bill.

ARRANGEMENT OF CLAUSES.

Clause.

1. The new Dominions.
   Territories of the new Dominions.
3. Bengal and Assam.
4. The Punjab.
5. The Governor-General of the new Dominions.
6. Legislation for the new Dominions.
7. Consequences of the setting up of the new Dominions.
8. Temporary provision as to government of each of the new Dominions.
9. Orders for bringing this Act into force.
10. Secretary of State's services, etc.
11. Indian armed forces.
12. British forces in India.
13. Naval forces.
14. Provisions as to the Secretary of State and the Auditor of Indian Home Accounts.
15. Legal proceedings by and against the Secretary of State.
16. Aden.
17. Divorce jurisdiction.
18. Provisions as to existing laws, etc.
19. Interpretation, etc.
20. Short title.

SCHEDULES

First Schedule—Bengal Districts provisionally included in the new Province of East Bengal.

Second Schedule—Districts provisionally included in the new Province of West Punjab.

Third Schedule—Modifications of Army Act and Air Force Act in relation to British forces.

A

B I L L

TO

Make provision for the setting up in India of two independent Dominions, to substitute other provisions for certain provisions of the Government of India Act, 1935, which apply outside those Dominions, and to provide for other matters consequential on or connected with the setting up of those Dominions. A.D. 1947.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

The new Dominions.

1.—(1) As from the fifteenth day of August, nineteen hundred and forty-seven, two independent Dominions shall be set up in India, to be known respectively as India and Pakistan.

(2) The said Dominions are hereafter in this Act referred to as "the new Dominions", and the said fifteenth day of August is hereafter in this Act referred to as "the appointed day".

Territories of the new Dominions.

2.—(1) Subject to the provisions of subsections (3) and (4) of this section, the territories of India shall be the territories under the sovereignty of His Majesty which, immediately before the appointed day, were included in British India except the territories which, under subsection (2) of this section, are to be the territories of Pakistan.

(2) Subject to the provisions of subsections (3) and (4) of this section, the territories of Pakistan shall be—

(*a*) the territories which, on the appointed day, are included in the Provinces of East Bengal and West Punjab, as constituted under the two following sections ;

(*b*) the territories which, at the date of the passing of this Act, are included in the Province of Sind and the Chief Commissioner's Province of British Baluchistan ; and

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(*c*) if, whether before or after the passing of this Act but before the appointed day, the Governor-General declares that the majority of the valid votes cast in the referendum which, at the date of the passing of this Act, is being or has recently been held in that behalf under his authority in the North West Frontier Province are in favour of representatives of that Province taking part in the Constituent Assembly of Pakistan, the territories which, at the date of the passing of this Act, are included in that Province.

(3) Nothing in this section shall prevent any area being at any time included in or excluded from either of the new Dominions, so, however, that—

(*a*) no area not forming part of the territories specified in subsection (1) or, as the case may be, subsection (2), of this section shall be included in either Dominion without the consent of that Dominion ; and

(*b*) no area which forms part of the territories specified in the said subsection (1) or, as the case may be, the said subsection (2), or which has after the appointed day been included in either Dominion, shall be excluded from that Dominion without the consent of that Dominion.

(4) Without prejudice to the generality of the provisions of subsection (3) of this section, nothing in this section shall be construed as preventing the accession of Indian States to either of the new Dominions.

Bengal and Assam.

3.—(1) As from the appointed day—

(*a*) the Province of Bengal, as constituted under the Government of India Act, 1935, shall cease to exist ; and

(*b*) there shall be constituted in lieu thereof two new Provinces, to be known respectively as East Bengal and West Bengal.

(2) If, whether before or after the passing of this Act, but before the appointed day, the Governor-General declares that the majority of the valid votes cast in the referendum which, at the date of the passing of this Act, is being or has recently been held in that behalf under his authority in the District of Sylhet are in favour of that District forming part of the new Province of East Bengal, then, as from that day, a part of the Province of Assam shall, in accordance with the provisions of subsection (3) of this section, form part of the new Province of East Bengal.

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(3) The boundaries of the new Provinces aforesaid and, in the event mentioned in subsection (2) of this section, the boundaries after the appointed day of the Province of Assam, shall be such as may be determined, whether before or after the appointed day, by awards of boundary commissions appointed or to be appointed by the Governor-General in that behalf, but until the boundaries are so determined—

(*a*) the Bengal Districts specified in the First Schedule to this Act, together with, in the event mentioned in subsection (2) of this section, the Assam District of Sylhet, shall be treated as the territories which are to be comprised in the new Province of East Bengal ;

(*b*) the remainder of the territories comprised at the date of the passing of this Act in the Province of Bengal shall be treated as the territories which are to be comprised in the new Province of West Bengal ; and

(*c*) in the event mentioned in subsection (2) of this section, the District of Sylhet shall be excluded from the Province of Assam.

The Punjab.

4.—(1) As from the appointed day—

(*a*) the Province of the Punjab, as constituted under the Government of India Act, 1935, shall cease to exist ; and

(*b*) there shall be constituted two new Provinces, to be known respectively as West Punjab and East Punjab.

(2) The boundaries of the said new Provinces shall be such as may be determined, whether before or after the appointed day, by awards of boundary commissions appointed or to be appointed by the Governor-General in that behalf, but until the boundaries are so determined—

(*a*) the Districts specified in the Second Schedule to this Act shall be treated as the territories to be comprised in the new Province of West Punjab ; and

(*b*) the remainder of the territories comprised at the date of the passing of this Act in the Province of the Punjab shall be treated as the territories which are to be comprised in the new Province of East Punjab.

The Governor-General of the new Dominions.

5. For each of the new Dominions, there shall be a Governor-General who shall be appointed by His Majesty and shall represent His Majesty for the purposes of the government of the Dominion

Provided that, unless and until provision to the contrary is made by a law of the Legislature of either of the new Dominions, the same person may be Governor-General of both the new Dominions.

A.D. 1947.

Legislation for the new Dominions.

6.—(1) The Legislature of each of the new Dominions shall have full power to make laws for that Dominion, including laws having extra-territorial operation.

(2). No law and no provision of any law made by the Legislature of either of the new Dominions shall be void or inoperative on the ground that it is repugnant to the law of England, or to the provisions of this or any existing or future Act of Parliament of the United Kingdom, or to any order, rule or regulation made under any such Act, and the powers of the Legislature of each Dominion include the power to repeal or amend any such Act, order, rule or regulation in so far as it is part of the law of the Dominion.

(3) The Governor-General of each of the new Dominions shall have full power to assent in His Majesty's name to any law of the Legislature of that Dominion and so much of any Act as relates to the disallowance of laws by His Majesty or the reservation of laws for the signification of His Majesty's pleasure thereon or the suspension of the operation of laws until the signification of His Majesty's pleasure thereon shall not apply to laws of the Legislature of either of the new Dominions.

(4) No Act of Parliament of the United Kingdom passed on or after the appointed day shall extend, or be deemed to extend, to either of the new Dominions as part of the law of that Dominion unless it is extended thereto by a law of the Legislature of the Dominion.

(5) No Order in Council made on or after the appointed day under any Act passed before the appointed day, and no order, rule or other instrument made on or after the appointed day under any such Act by any United Kingdom Minister or other authority, shall extend, or be deemed to extend, to either of the new Dominions as part of the law of that Dominion.

(6) The power referred to in subsection (1) of this section extends to the making of laws limiting for the future the powers of the Legislature of the Dominion.

Consequences of the setting up of the new Dominions.

7.—(1) As from the appointed day—

(*a*) His Majesty's Government in the United Kingdom have no responsibility as respects the government of any of the territories which, immediately before that day, were included in British India;

(*b*) the suzerainty of His Majesty over the Indian States lapses, and with it, all treaties and agreements in force at the date of the passing of this Act between His Majesty and the rulers of Indian States, all functions exercisable by His Majesty at that date with respect to Indian States, all obligations of His Majesty existing

at that date towards Indian States or the rulers thereof, and all powers, rights, authority or jurisdiction exercisable by His Majesty at that date in or in relation to Indian States by treaty, grant, usage, sufferance or otherwise ; and

(*c*) there lapse also any treaties or agreements in force at the date of the passing of this Act between His Majesty and any persons having authority in the tribal areas, any obligations of His Majesty existing at that date to any such persons or with respect to the tribal areas, and all powers, rights, authority or jurisdiction exercisable at that date by His Majesty in or in relation to the tribal areas by treaty, grant, usage, sufferance or otherwise

Provided that, notwithstanding anything in paragraph (*b*) or paragraph (*c*) of this subsection, effect shall, as nearly as may be continue to be given to the provisions of any such agreement as is therein referred to which relate to customs, transit and communications, posts and telegraphs, or other like matters, until the provisions in question are denounced by the Ruler of the Indian State or person having authority in the tribal areas on the one hand, or by the Dominion or Province or other part thereof concerned on the other hand, or are superseded by subsequent agreements.

(2) The assent of the Parliament of the United Kingdom is hereby given to the omission from the Royal Style and Titles of the words " Indiae Imperator " and the words " Emperor of India " and to the issue by His Majesty for that purpose of His Royal Proclamation under the Great Seal of the Realm.

Temporary provision as to government of each of the new Dominions.

8.—(1) In the case of each of the new Dominions, the powers of the Legislature of the Dominion shall, for the purpose of making provision as to the constitution of the Dominion, be exercisable in the first instance by the Constituent Assembly of that Dominion, and references in this Act to the Legislature of the Dominion shall be construed accordingly.

(2) Except in so far as other provision is made by or in accordance with a law made by the Constituent Assembly of the Dominion under subsection (1) of this section, each of the new Dominions and all Provinces and other parts thereof shall be governed as nearly as may be in accordance with the Government of India Act, 1935 ; and the provisions of that Act, and of the Orders in Council, rules and other instruments made thereunder, shall, so far as applicable, and subject to any express provisions of this Act, and with such omissions, additions, adaptations and modifications as may be specified in orders of the Governor-General under the next succeeding section, have effect accordingly:

A.D. 1947.

Provided that—

(*a*) the said provisions shall apply separately in relation to each of the new Dominions and nothing in this subsection shall be construed as continuing on or after the appointed day any Central Government or Legislature common to both the new Dominions;

(*b*) nothing in this subsection shall be construed as continuing in force on or after the appointed day any form of control by His Majesty's Government in the United Kingdom over the affairs of the new Dominions or of any Province or other part thereof;

(*c*) so much of the said provisions as requires the Governor-General or any Governor to act in his discretion or exercise his individual judgment as respects any matter shall cease to have effect as from the appointed day

(*d*) as from the appointed day, no Provincial Bill shall be reserved under the Government of India Act, 1935, for the signification of His Majesty's pleasure, and no Provincial Act shall be disallowed by His Majesty thereunder and

(*e*) the powers of the Federal Legislature or Indian Legislature under that Act, as in force in relation to each Dominion, shall, in the first instance, be exercisable by the Constituent Assembly of the Dominion in addition to the powers exercisable by that Assembly under subsection (1) of this section.

(3) Any provision of the Government of India Act, 1935, which, as applied to either of the new Dominions by subsection (2) of this section and the orders therein referred to, operates to limit the power of the legislature of that Dominion shall, unless and until other provision is made by or in accordance with a law made by the Constituent Assembly of the Dominion in accordance with the provisions of subsection (1) of this section, have the like effect as a law of the Legislature of the Dominion limiting for the future the powers of that Legislature.

Orders for bringing this Act into force.

9.—(1) The Governor-General shall by order make such provision as appears to him to be necessary or expedient—

(*a*) for bringing the provisions of this Act into effective operation;

(*b*) for dividing between the new Dominions, and between the new Provinces to be constituted under this Act, the powers, rights, property, duties and liabilities of the Governor-General in Council or, as the case may be, of the relevant Provinces which, under this Act, are to cease to exist;

(*c*) for making omissions from, additions to, and adaptations and modifications of, the Government of India Act, 1935, and the Orders in Council, rules and other instruments made thereunder, in their application to the separate new Dominions;

(*d*) for removing difficulties arising in connection with the transition to the provisions of this Act;

(*e*) for authorising the carrying on of the business of the Governor-General in Council between the passing of this Act and the appointed day otherwise than in accordance with the provisions in that behalf of the Ninth Schedule to the Government of India Act, 1935;

(*f*) for enabling agreements to be entered into, and other acts done, on behalf of either of the new Dominions before the appointed day;

(*g*) for authorising the continued carrying on for the time being on behalf of the new Dominions, or on behalf of any two or more of the said new Provinces, of services and activities previously carried on on behalf of British India as a whole or on behalf of the former Provinces which those new Provinces represent;

(*h*) for regulating the monetary system and any matters pertaining to the Reserve Bank of India; and

(*i*) so far as it appears necessary or expedient in connection with any of the matters aforesaid, for varying the constitution, powers or jurisdiction of any legislature, court or other authority in the new Dominions and creating new legislatures, courts or other authorities therein.

(2) The powers conferred by this section on the Governor-General shall, in relation to their respective Provinces, be exercisable also by the Governors of the Provinces which, under this Act, are to cease to exist; and those powers shall, for the purposes of the Government of India Act, 1935, be deemed to be matters as respects which the Governors are, under that Act, to exercise their individual judgment.

(3) This section shall be deemed to have had effect as from the third day of June, nineteen hundred and forty-seven, and any order of the Governor-General or any Governor made on or after that date as to any matter shall have effect accordingly, and any order made under this section may be made so as to be retrospective to any date not earlier than the said third day of June:

Provided that no person shall be deemed to be guilty of an offence by reason of so much of any such order as makes any provision thereof retrospective to any date before the making thereof.

A.D. 1947.

(4) Any orders made under this section, whether before or after the appointed day, shall have effect—

(*a*) up to the appointed day, in British India ;

(*b*) on and after the appointed day, in the new Dominion or Dominions concerned ; and

(*c*) outside British India, or as the case may be, outside the new Dominion or Dominions concerned, to such extent, whether before, on or after the appointed day, as a law of the Legislature of the Dominion or Dominions concerned would have on or after the appointed day,

but shall, in the case of each of the Dominions, be subject to the same powers of repeal and amendment as laws of the Legislature of that Dominion.

(5) No order shall be made under this section, by the Governor of any Province, after the appointed day, or, by the Governor-General, after the thirty-first day of March, nineteen hundred and forty-eight, or such earlier date as may be determined, in the case of either Dominion, by any law of the Legislature of that Dominion.

(6) If it appears that a part of the Province of Assam is, on the appointed day, to become part of the new Province of East Bengal, the preceding provisions of this section shall have effect as if, under this Act, the Province of Assam was to cease to exist on the appointed day and be reconstituted on that day as a new Province.

Secretary of State's services, etc.

10.—(1) The provisions of this Act keeping in force provisions of the Government of India Act, 1935, shall not continue in force the provisions of that Act relating to appointments to the civil services of, and civil posts under, the Crown in India by the Secretary of State, or the provisions of that Act relating to the reservation of posts.

(2) Every person who—

(*a*) having been appointed by the Secretary of State, or Secretary of State in Council, to a civil service of the Crown in India continues on and after the appointed day to serve under the Government of either of the new Dominions or of any Province or part thereof ; or

(*b*) having been appointed by His Majesty before the appointed day to be a judge of the Federal Court or of any court which is a High Court within the meaning of the Government of India Act, 1935, continues on and after the appointed day to serve as a judge in either of the new Dominions,

shall be entitled to receive from the Governments of the Dominions and Provinces or parts which he is from time to time serving or,

as the case may be, which are served by the courts in which he is from time to time a judge, the same conditions of service as respects remuneration, leave and pension, and the same rights as respects disciplinary matters or, as the case may be, as respects the tenure of his office, or rights as similar thereto as changed circumstances may permit, as that person was entitled to immediately before the appointed day. A.D. 1947.

(3) Nothing in this Act shall be construed as enabling the rights and liabilities of any person with respect to the family pension funds vested in Commissioners under section two hundred and seventy-three of the Government of India Act, 1935, to be governed otherwise than by Orders in Council made (whether before or after the passing of this Act or the appointed day) by His Majesty in Council and rules made (whether before or after the passing of this Act or the appointed day) by a Secretary of State or such other Minister of the Crown as may be designated in that behalf by Order in Council under the Ministers of the Crown (Transfer of Functions) Act, 1946.

Indian armed forces.

11.—(1) The orders to be made by the Governor-General under the preceding provisions of this Act shall make provision for the division of the Indian armed forces of His Majesty between the new Dominions, and for the command and governance of those forces until the division is completed.

(2) As from the appointed day, while any member of His Majesty's forces, other than His Majesty's Indian forces, is attached to or serving with any of His Majesty's Indian forces—

(*a*) he shall, subject to any provision to the contrary made by a law of the Legislature of the Dominion or Dominions concerned or by any order of the Governor-General under the preceding provisions of this Act, have, in relation to the Indian forces in question, the powers of command and punishment appropriate to his rank and functions; but

(*b*) nothing in any enactment in force at the date of the passing of this Act shall render him subject in any way to the law governing the Indian forces in question.

British forces in India.

12.—(1) Nothing in this Act affects the jurisdiction or authority of His Majesty's Government in the United Kingdom, or of the Admiralty, the Army Council, or the Air Council or of any other United Kingdom authority, in relation to any of His Majesty's forces which may, on or after the appointed day, be in either of the new Dominions or elsewhere in the territories which, before the appointed day, were included in India, not being Indian forces.

A.D. 1947.

(4) Any orders made under this section, whether before or after the appointed day, shall have effect—

(*a*) up to the appointed day, in British India ;

(*b*) on and after the appointed day, in the new Dominion or Dominions concerned ; and

(*c*) outside British India, or as the case may be, outside the new Dominion or Dominions concerned, to such extent, whether before, on or after the appointed day, as a law of the Legislature of the Dominion or Dominions concerned would have on or after the appointed day,

but shall, in the case of each of the Dominions, be subject to the same powers of repeal and amendment as laws of the Legislature of that Dominion.

(5) No order shall be made under this section, by the Governor of any Province, after the appointed day, or, by the Governor-General, after the thirty-first day of March, nineteen hundred and forty-eight, or such earlier date as may be determined, in the case of either Dominion, by any law of the Legislature of that Dominion.

(6) If it appears that a part of the Province of Assam is, on the appointed day, to become part of the new Province of East Bengal, the preceding provisions of this section shall have effect as if, under this Act, the Province of Assam was to cease to exist on the appointed day and be reconstituted on that day as a new Province.

Secretary of State's services, etc.

10.—(1) The provisions of this Act keeping in force provisions of the Government of India Act, 1935, shall not continue in force the provisions of that Act relating to appointments to the civil services of, and civil posts under, the Crown in India by the Secretary of State, or the provisions of that Act relating to the reservation of posts.

(2) Every person who—

(*a*) having been appointed by the Secretary of State, or Secretary of State in Council, to a civil service of the Crown in India continues on and after the appointed day to serve under the Government of either of the new Dominions or of any Province or part thereof; or

(*b*) having been appointed by His Majesty before the appointed day to be a judge of the Federal Court or of any court which is a High Court within the meaning of the Government of India Act, 1935, continues on and after the appointed day to serve as a judge in either of the new Dominions,

shall be entitled to receive from the Governments of the Dominions and Provinces or parts which he is from time to time serving or,

as the case may be, which are served by the courts in which he is from time to time a judge, the same conditions of service as respects remuneration, leave and pension, and the same rights as respects disciplinary matters or, as the case may be, as respects the tenure of his office, or rights as similar thereto as changed circumstances may permit, as that person was entitled to immediately before the appointed day. A.D. 1947.

(3) Nothing in this Act shall be construed as enabling the rights and liabilities of any person with respect to the family pension funds vested in Commissioners under section two hundred and seventy-three of the Government of India Act, 1935, to be governed otherwise than by Orders in Council made (whether before or after the passing of this Act or the appointed day) by His Majesty in Council and rules made (whether before or after the passing of this Act or the appointed day) by a Secretary of State or such other Minister of the Crown as may be designated in that behalf by Order in Council under the Ministers of the Crown (Transfer of Functions) Act, 1946.

Indian armed forces.

11.—(1) The orders to be made by the Governor-General under the preceding provisions of this Act shall make provision for the division of the Indian armed forces of His Majesty between the new Dominions, and for the command and governance of those forces until the division is completed.

(2) As from the appointed day, while any member of His Majesty's forces, other than His Majesty's Indian forces, is attached to or serving with any of His Majesty's Indian forces—

(*a*) he shall, subject to any provision to the contrary made by a law of the Legislature of the Dominion or Dominions concerned or by any order of the Governor-General under the preceding provisions of this Act, have, in relation to the Indian forces in question, the powers of command and punishment appropriate to his rank and functions; but

(*b*) nothing in any enactment in force at the date of the passing of this Act shall render him subject in any way to the law governing the Indian forces in question.

British forces in India.

12.—(1) Nothing in this Act affects the jurisdiction or authority of His Majesty's Government in the United Kingdom, or of the Admiralty, the Army Council, or the Air Council or of any other United Kingdom authority, in relation to any of His Majesty's forces which may, on or after the appointed day, be in either of the new Dominions or elsewhere in the territories which, before the appointed day, were included in India, not being Indian forces.

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(2) In its application in relation to His Majesty's military forces, other than Indian forces, the Army Act shall have effect on or after the appointed day—

(*a*) as if His Majesty's Indian forces were not included in the expressions " the forces ", " His Majesty's forces " and " the regular forces " ; and

(*b*) subject to the further modifications specified in Parts I and II of the Third Schedule to this Act.

(3) Subject to the provisions of subsection (2) of this section, and to any provisions of any law of the Legislature of the Dominion concerned, all civil authorities in the new Dominions, and, subject as aforesaid and subject also to the provisions of the last preceding section, all service authorities in the new Dominions, shall, in those Dominions and in the other territories which were included in India before the appointed day, perform in relation to His Majesty's military forces, not being Indian forces, the same functions as were, before the appointed day, performed by them, or by the authorities corresponding to them, whether by virtue of the Army Act or otherwise, and the matters for which provision is to be made by orders of the Governor-General under the preceding provisions of this Act shall include the facilitating of the withdrawal from the new Dominions and other territories aforesaid of His Majesty's military forces, not being Indian forces.

(4) The provisions of subsections (2) and (3) of this section shall apply in relation to the air forces of His Majesty, not being Indian air forces, as they apply in relation to His Majesty's military forces, subject, however, to the necessary adaptations, and, in particular, as if—

(*a*) for the references to the Army Act there were substituted references to the Air Force Act ; and

(*b*) for the reference to Part II of the Third Schedule to this Act there were substituted a reference to Part III of that Schedule.

Naval forces.

13.—(1) In the application of the Naval Discipline Act to His Majesty's naval forces, other than Indian naval forces, references to His Majesty's navy and His Majesty's ships shall not, as from the appointed day, include references to His Majesty's Indian navy or the ships thereof.

(2) In the application of the Naval Discipline Act by virtue of any law made in India before the appointed day to Indian naval forces, references to His Majesty's navy and His Majesty's ships shall, as from the appointed day, be deemed to be, and to be only, references to His Majesty's Indian navy and the ships thereof.

(3) In section ninety B of the Naval Discipline Act (which, in certain cases, subjects officers and men of the Royal Navy and Royal Marines to the law and customs of the ships and naval forces of other parts of His Majesty's dominions) the words " or of India " shall be repealed as from the appointed day, wherever those words occur.

Provisions as to the Secretary of State and the Auditor of Indian Home Accounts.

14.—(1) A Secretary of State, or such other Minister of the Crown as may be designated in that behalf by Order in Council under the Ministers of the Crown (Transfer of Functions) Act, 1946, is hereby authorised to continue for the time being the performance, on behalf of whatever government or governments may be concerned, of functions as to the making of payments and other matters similar to the functions which, up to the appointed day, the Secretary of State was performing on behalf of governments constituted or continued under the Government of India Act, 1935.

(2) The functions referred to in subsection (1) of this section include functions as respects the management of, and the making of payments in respect of, government debt, and any enactments relating to such debt shall have effect accordingly

Provided that nothing in this subsection shall be construed as continuing in force so much of any enactment as empowers the Secretary of State to contract sterling loans on behalf of any such Government as aforesaid or as applying to the Government of either of the new Dominions the prohibition imposed on the Governor-General in Council by section three hundred and fifteen of the Government of India Act, 1935, as respects the contracting of sterling loans.

(3) As from the appointed day, there shall not be any such advisers of the Secretary of State as are provided for by section two hundred and seventy-eight of the Government of India Act, 1935, and that section, and any provisions of that Act which require the Secretary of State to obtain the concurrence of his advisers, are hereby repealed as from that day.

(4) The Auditor of Indian Home Accounts is hereby authorised to continue for the time being to exercise his functions as respects the accounts of the Secretary of State or any such other Minister of the Crown as is mentioned in subsection (1) of this section, both in respect of activities before, and in respect of activities after, the appointed day, in the same manner, as nearly as may be as he would have done if this Act had not passed.

Legal proceedings by and against the Secretary of State.

15.—(1) Notwithstanding anything in this Act, and, in particular, notwithstanding any of the provisions of the last preceding section, any provision of any enactment which, but for the passing of this Act, would authorise legal proceedings to be taken, in India or elsewhere, by or against the Secretary of State in respect

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of any right or liability of India or any part of India shall cease to have effect on the appointed day, and any legal proceedings pending by virtue of any such provision on the appointed day shall, by virtue of this Act, abate on the appointed day, so far as the Secretary of State is concerned.

(2) Subject to the provisions of this subsection, any legal proceedings which, but for the passing of this Act, could have been brought by or against the Secretary of State in respect of any right or liability of India, or any part of India, shall instead be brought—

(*a*) in the case of proceedings in the United Kingdom, by or against the High Commissioner;

(*b*) in the case of other proceedings, by or against such person as may be designated by order of the Governor-General under the preceding provisions of this Act or otherwise by the law of the new Dominion concerned,

and any legal proceedings by or against the Secretary of State in respect of any such right or liability as aforesaid which are pending immediately before the appointed day shall be continued by or against the High Commissioner or, as the case may be, the person designated as aforesaid

Provided that, at any time after the appointed day, the right conferred by this subsection to bring or continue proceedings may, whether the proceedings are by, or are against, the High Commissioner or person designated as aforesaid, be withdrawn by a law of the Legislature of either of the new Dominions so far as that Dominion is concerned, and any such law may operate as respects proceedings pending at the date of the passing of the law.

(3) In this section, the expression "the High Commissioner" means, in relation to each of the new Dominions, any such officer as may for the time being be authorised to perform in the United Kingdom, in relation to that Dominion, functions similar to those performed before the appointed day, in relation to the Governor-General in Council, by the High Commissioner referred to in section three hundred and two of the Government of India Act, 1935; and any legal proceedings which, immediately before the appointed day, are the subject of an appeal to His Majesty in Council, or of a petition for special leave to appeal to His Majesty in Council, shall be treated for the purposes of this section as legal proceedings pending in the United Kingdom.

Aden.

16.—(1) Subsections (2) to (4) of section two hundred and eighty-eight of the Government of India Act, 1935 (which confer on His Majesty power to make by Order in Council provision for the government of Aden) shall cease to have effect and the British Settlements Acts, 1887 and 1945, (which authorise His

Majesty to make laws and establish institutions for British Settlements as defined in those Acts) shall apply in relation to Aden as if it were a British Settlement as so defined. A.D. 1947.

(2) Notwithstanding the repeal of the said subsections (2) to (4), the Orders in Council in force thereunder at the date of the passing of this Act shall continue in force, but the said Orders in Council, any other Orders in Council made under the Government of India Act, 1935, in so far as they apply to Aden, and any enactments applied to Aden or amended in relation to Aden by any such Orders in Council as aforesaid, may be repealed, revoked or amended under the powers of the British Settlements Acts, 1887 and 1945.

(3) Unless and until provision to the contrary is made as respects Aden under the powers of the British Settlements Acts, 1887 and 1945, or, as respects the new Dominion in question, by a law of the Legislature of that Dominion, the provisions of the said Orders in Council and enactments relating to appeals from any courts in Aden to any courts which will, after the appointed day, be in either of the new Dominions, shall continue in force in their application both to Aden and to the Dominion in question, and the last mentioned courts shall exercise their jurisdiction accordingly.

Divorce jurisdiction.

17.—(1) No court in either of the new Dominions shall, by virtue of the Indian and Colonial Divorce Jurisdiction Acts, 1926 and 1940, have jurisdiction in or in relation to any proceedings for a decree for the dissolution of a marriage, unless those proceedings were instituted before the appointed day, but, save as aforesaid and subject to any provision to the contrary which may hereafter be made by any Act of the Parliament of the United Kingdom or by any law of the Legislature of the new Dominion concerned, all courts in the new Dominions shall have the same jurisdiction under the said Acts as they would have had if this Act had not been passed.

(2) Any rules made on or after the appointed day under subsection (4) of section one of the Indian and Colonial Divorce Jurisdiction Act, 1926, for a court in either of the new Dominions shall, instead of being made by the Secretary of State with the concurrence of the Lord Chancellor, be made by such authority as may be determined by the law of the Dominion concerned, and so much of the said subsection and of any rules in force thereunder immediately before the appointed day as require the approval of the Lord Chancellor to the nomination for any purpose of any judges of any such court shall cease to have effect.

(3) The reference in subsection (1) of this section to proceedings for a decree for the dissolution of a marriage include references to proceedings for such a decree of presumption of death and dissolution of a marriage as is authorised by section eight of the Matrimonial Causes Act, 1937.

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(4) Nothing in this section affects any court outside the new Dominions, and the power conferred by section two of the Indian and Colonial Divorce Jurisdiction Act, 1926, to apply certain provisions of that Act to other parts of His Majesty's dominions as they apply to India shall be deemed to be power to apply those provisions as they would have applied to India if this Act had not passed.

Provisions as to existing laws, etc.

18.—(1) In so far as any Act of Parliament, Order in Council, order, rule, regulation or other instrument passed or made before the appointed day operates otherwise than as part of the law of British India or the new Dominions, references therein to India or British India, however worded and whether by name or not, shall, in so far as the context permits and except so far as Parliament may hereafter otherwise provide, be construed as, or as including, references to the new Dominions, taken together, or taken separately, according as the circumstances and subject matter may require

Provided that nothing in this subsection shall be construed as continuing in operation any provision in so far as the continuance thereof as adapted by this subsection is inconsistent with any of the provisions of this Act other than this section.

(2) Subject to the provisions of subsection (1) of this section and to any other express provision of this Act, the Orders in Council made under subsection (5) of section three hundred and eleven of the Government of India Act, 1935, for adapting and modifying Acts of Parliament shall, except so far as Parliament may hereafter otherwise provide, continue in force in relation to all Acts in so far as they operate otherwise than as part of the law of British India or the new Dominions.

(3) Save as otherwise expressly provided in this Act, the law of British India and of the several parts thereof existing immediately before the appointed day shall, so far as applicable and with the necessary adaptations, continue as the law of each of the new Dominions and the several parts thereof until other provision is made by laws of the Legislature of the Dominion in question or by any other Legislature or other authority having power in that behalf.

(4) It is hereby declared that the Instruments of Instructions issued before the passing of this Act by His Majesty to the Governor-General and the Governors of Provinces lapse as from the appointed day, and nothing in this Act shall be construed as continuing in force any provision of the Government of India Act, 1935, relating to such Instruments of Instructions.

(5) As from the appointed day, so much of any enactment as requires the approval of His Majesty in Council to any rules of court shall not apply to any court in either of the new Dominions.

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Interpretation, etc.

19.—(1) References in this Act to the Governor-General shall, in relation to any order to be made or other act done on or after the appointed day, be construed—

(*a*) where the order or other act concerns one only of the new Dominions, as references to the Governor-General of that Dominion ;

(*b*) where the order or other act concerns both of the new Dominions and the same person is the Governor-General of both those Dominions, as references to that person ; and

(*c*) in any other case, as references to the Governors-General of the new Dominions, acting jointly.

(2) References in this Act to the Governor-General shall, in relation to any order to be made or other act done before the appointed day, be construed as references to the Governor-General of India within the meaning of the Government of India Act, 1935, and so much of that or any other Act as requires references to the Governor-General to be construed as references to the Governor-General in Council shall not apply to references to the Governor-General in this Act.

(3) References in this Act to the Constituent Assembly of a Dominion shall be construed as references—

(*a*) in relation to India, to the Constituent Assembly, the first sitting whereof was held on the ninth day of December, nineteen hundred and forty-six, modified—

(i) by the exclusion of the members representing Bengal, the Punjab, Sind and British Baluchistan ; and

(ii) should it appear that the North West Frontier Province will form part of Pakistan, by the exclusion of the members representing that Province ; and

(iii) by the inclusion of members representing West Bengal and East Punjab ; and

(iv) should it appear that, on the appointed day, a part of the Province of Assam is to form part of the new Province of East Bengal, by the exclusion of the members theretofore representing the Province of Assam and the inclusion of members chosen to represent the remainder of that Province ;

(*b*) in relation to Pakistan, to the Assembly set up or about to be set up at the date of the passing of this Act under the authority of the Governor-General as the Constituent Assembly for Pakistan

Provided that nothing in this subsection shall be construed as affecting the extent to which representatives of the Indian States take part in either of the said Assemblies, or as preventing the

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filling of casual vacancies in the said Assemblies, or as preventing the participation in either of the said Assemblies, in accordance with such arrangements as may be made in that behalf, of representatives of the tribal areas on the borders of the Dominion for which that Assembly sits, and the powers of the said Assemblies shall extend and be deemed always to have extended to the making of provision for the matters specified in this proviso.

(4) In this Act, except so far as the context otherwise requires—

references to the Government of India Act, 1935, include references to any enactments amending or supplementing that Act, and, in particular, references to the India (Central Government and Legislature) Act, 1946

" India ", where the reference is to a state of affairs existing before the appointed day or which would have existed but for the passing of this Act, has the meaning assigned to it by section three hundred and eleven of the Government of India Act, 1935 ;

" Indian forces " includes all His Majesty's Indian forces existing before the appointed day and also any forces of either of the new Dominions ;

" pension " means, in relation to any person, a pension whether contributory or not, of any kind whatsoever payable to or in respect of that person, and includes retired pay so payable, a gratuity so payable and any sum or sums so payable by way of the return, with or without interest thereon or other additions thereto, of subscriptions to a provident fund ;

" Province " means a Governor's Province ;

" remuneration " includes leave pay, allowances and the cost of any privileges or facilities provided in kind.

(5) Any power conferred by this Act to make any order includes power to revoke or vary any order previously made in the exercise of that power.

Short title.

20. This Act may be cited as the Indian Independence Act, 1947.

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SCHEDULES

FIRST SCHEDULE.

Section 3.

BENGAL DISTRICTS PROVISIONALLY INCLUDED IN THE NEW PROVINCE OF EAST BENGAL.

In the Chittagong Division, the districts of Chittagong, Naokhali and Tippera.

In the Dacca Division, the districts of Bakarganj, Dacca, Faridpur and Mymensingh.

In the Presidency Division, the districts of Jessore, Murshidabad and Nadia.

In the Rajshahi Division, the districts of Bogra, Dinajpur, Malda, Pabna, Rajshahi and Rangpur.

SECOND SCHEDULE.

Section 4.

DISTRICTS PROVISIONALLY INCLUDED IN THE NEW PROVINCE OF WEST PUNJAB.

In the Lahore Division, the districts of Gujranwala, Gurdaspur, Lahore, Sheikhupura and Sialkot.

In the Rawalpindi Division, the districts of Attock, Gujrat, Jhelum, Mianwali, Rawalpindi and Shahpur.

In the Multan Division, the districts of Dera Ghazi Khan, Jhang, Lyallpur, Montgomery, Multan and Muzaffargarh.

THIRD SCHEDULE.

Section 12.

MODIFICATIONS OF ARMY ACT AND AIR FORCE ACT IN RELATION TO BRITISH FORCES.

PART I.

MODIFICATIONS OF ARMY ACT APPLICABLE ALSO TO AIR FORCE ACT:

1. The proviso to section forty-one (which limits the jurisdiction of courts martial) shall not apply to offences committed in either of the new Dominions or in any of the other territories which were included in India before the appointed day.

2. In section forty-three (which relates to complaints), the words "with the approval of the Governor-General of India in Council" shall be omitted.

3. In subsections (8) and (9) of section fifty-four (which, amongst other things, require certain sentences to be confirmed by the Governor-General in Council), the words "India or", the words "by the Governor-General, or, as the case may be" and the words "in India, by the Governor-General, or, if he has been tried" shall be omitted.

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3RD SCH. —*cont.*

4. In subsection (3) of section seventy-three (which provides for the nomination of officers with power to dispense with courts martial for desertion and fraudulent enlistment) the words "with the approval of the Governor-General" shall be omitted.

5. The powers conferred by subsection (5) of section one hundred and thirty (which provides for the removal of insane persons) shall not be exercised except with the consent of the officer commanding the forces in the new Dominions.

6. In subsection (2) of section one hundred and thirty-two (which relates to rules regulating service prisons and detention barracks) the words "and in India for the Governor-General" and the words "the Governor-General" shall be omitted except as respects rules made before the appointed day.

7. In the cases specified in subsection (1) of section one hundred and thirty-four, inquests shall be held in all cases in accordance with the provisions of subsection (3) of that section.

8. In section one hundred and thirty-six (which relates to deductions from pay), in subsection (1) the words "India or" and the words "being in the case of India a law of the Indian Legislature", and the whole of subsection (2), shall be omitted.

9. In paragraph (4) of section one hundred and thirty-seven (which relates to penal stoppages from the ordinary pay of officers), the words "or in the case of officers serving in India the Governor-General" the words "India or" and the words "for India or, as the case may be" shall be omitted.

10. In paragraph (12) of section one hundred and seventy-five and paragraph (11) of section one hundred and seventy-six (which apply the Act to certain members of His Majesty's Indian Forces and to certain other persons) the word "India" shall be omitted wherever it occurs.

11. In subsection (1) of section one hundred and eighty (which provides for the punishment of misconduct by civilians in relation to courts martial) the words "India or" shall be omitted wherever they occur.

12. In the provisions of section one hundred and eighty-three relating to the reduction in rank of non-commissioned officers, the words "with the approval of the Governor-General" shall be omitted in both places where they occur.

PART II.

MODIFICATIONS OF ARMY ACT.

Section 184B (which regulates relations with the Indian Air Force) shall be omitted.

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3RD SCH. —*cont.*

PART III.

MODIFICATIONS OF AIR FORCE ACT.

1. In section 179D (which relates to the attachment of officers and airmen to Indian and Burma Air Forces), the words " by the Air Council and the Governor-General of India or, as the case may be," and the words " India or ", wherever those words occur, shall be omitted.

2. In section 184B (which regulates relations with Indian and Burma Air Forces) the words " India or " and the words " by the Air Council and the Governor-General of India or, as the case may be," shall be omitted.

3. Sub-paragraph (*e*) of paragraph (4) of section one hundred and ninety (which provides that officers of His Majesty's Indian Air Force are to be officers within the meaning of the Act) shall be omitted.

Indian Independence.

A

B I L L

To make provision for the setting up in India of two independent Dominions, to substitute other provisions for certain provisions of the Government of India Act, 1935, which apply outside those Dominions, and to provide for other matters consequential on or connected with the setting up of those Dominions.

Presented by the Prime Mi
supported by
Sir Stafford Cripps, Mr. Alexander, and Mr. Arthur Henderson.

Ordered, by The House of Commons, *to be Printed*, 4 July 1947.

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Text of Statement

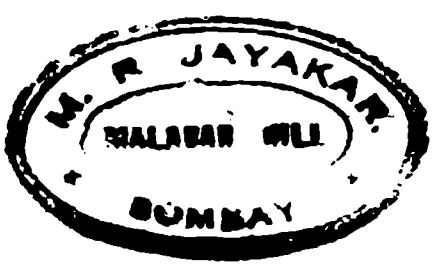
by

Prof. D. R. Gadgil

(10-10-47)

A "Hindu State", or more fully a "Federation of Hindu Nation-States" is the only proper description of the new Indian Union. Such a description has even less theocratic import than the description of the U. K. and the U. S. A. as Christian States. For, the term 'Hindu' is not associated with any particular cults or modes of worship or any set of theistic beliefs. The Hindu fold embraces within itself atheists as well as demon-worshippers and its philosophical systems range all the way from materialism to mysticism. In its broadest connotation the term 'Hindu' includes the parallel Buddhistic and Jain traditions and all the mediæval and modern reforming movements such as Lingayatism, Sikhism or the Brahmo Samaj. Professing the Hindu tradition is not necessarily incompatible with the practice of any particular religion and large numbers of Indian Christians have found no contradiction between the practice of Christianity and membership of the Hindu cultural world. The term "Hindu State" therefore, denotes no more than the State of the peoples who belong to a particular historico-cultural tradition and the Indian Union as a Union of such peoples and of the regions predominantly inhabited by them.

(2) To describe the Indian Union as a Hindu State is to bring out its dominant and most significant characteristic and can never mean that the territories of the Indian Union have no place for those who do not belong to the Hindu tradition and that such others will be descriminated against in law or in practice within the Union. The English State is closely connected with the Anglican Church. This has not prevented it from extending complete equality of treatment to all citizens, whether within or without the Anglican fold. Hindu rulers have followed the practice of religious toleration and non-discrimination against non-Hindus since times when even these concepts were unknown elsewhere. It is, therefore, a gross libel on the Hindu people to maintain that the description of a State as a Hindu State will breed intolerance or lead to discrimination.



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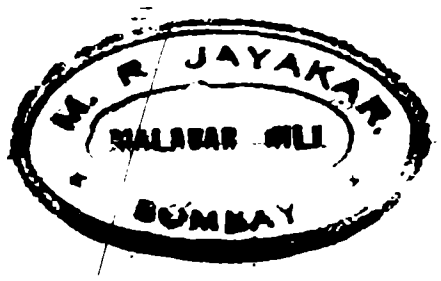

On the other hand, the insistence on denying the Hindu character of the Indian Union must leave it without any principle of cohesion. The Indian Union, after the creation of Pakistan, is no longer even a significant geographical entity and the division of Bengal and the Punjab have shown that loyalty to the Hindu fold transcends considerations of regional unity and the language tie. For the scattered and diverse peoples comprised within the Indian Union today, from the Assamese to the Gujarati and from the Punjabi to the Tamil, the only cementing bond is the Hindu Heritage. Large political aggregates will not hold together for reasons of mere convenience and contiguity. History for thousands of years has shown that the Hindu allegiance does exercise, however fitfully or unevenly, a powerful hold on peoples within this land and is a vital principle of cohesion within it. To deny it is not only to fly in the face of history but also to run a grave risk of compromising the future. For, once this element is rejected or ignored, there is none to take its place. Many nationalities within the Indian Union today take pride in and have an abiding interest in the development of the Hindu tradition. If their State cannot be described as a Hindu State, they might well wonder why they should continue to have their fortunes linked permanently with peoples who cannot avow their Hindu origin and own the name Hindu.

(3) The partition of India has resulted in the creation of two States, one a Muslim State and the other a Hindu State. It is likely that if the principle of partition had been accepted with greater understanding and frankness and the partition had been brought about with less hustle and more deliberate thought, the catastrophe that has followed upon it might have been, at least in part, avoided. Whatever that might be the problems now facing the two Dominions can be porperly appreciated only after a frank acknowledgment that one State is Muslim and the other Hindu. Hindus and Sikhs are fleeing from their homes in the Muslim State and seeking entry into and protection under the Hindu State. The leaders of these migrant masses have rightly resented the appellation 'refugee'. The 'Refugee' is a stateless person and the state that harbours him extends charity. The role of the Hindu State vis-a-vis the Hindus and Sikhs of the Muslim State cannot be defined as that of a benevolent neutral. The immigrant Hindus and Shikhs might well be called potential citizens of the Hindu State who found themselves by the act of partition placed on the wrong side of the border. The partition was carried out on the assumption that in the Muslim State these Hindus and Sikhs would continue to enjoy all the rights of citizen-

ship and be enabled peacefully to pursue their lives and vocations. These hopes have been belied and being forced to leave their homes because of the attitudes or actions of the Muslim State or of its Muslim citizens, they desire entry and incorporation into the Hindu State. They must perforce be accommodated and their accommodation must be based on a principle and must follow a plan.

Most regions in India are already full of people and the attempt to distribute the so-called refugees all over the country is neither fair to them nor to the regions which are asked to receive them. In most of these regions the "refugees" will not feel as if they have settled among their own people. Also, most regions in India have their own problems of population and would, if they took a long view, be chary of admitting any large numbers who could not be easily assimilated within the indigenous population. The migrant Hindus and Sikhs can, therefore, be accommodated within the Hindu State only if an appropriate compensatory movement takes place out of specific regions within it. If the action of the Muslim State has created a problem of influx in the Hindu State the compensatory action must be for an appropriate number of Muslims to flow into the Muslim State and make room for the entry of Hindus and Sikhs. It follows that this process must take place in the regions nearest the border with which the linguistic, cultural, social, etc. affinities of the incoming population are the closest and also that the exchange must take place in a systematic manner under the direction of the two States. The present conditions are unfortunate in the extreme. An exchange of population is taking place but the movement is due to panic born of threats and intimidation. It is the duty of both the States to prevent these conditions. But this cannot be done until the incoming streams of people and the sympathising inhabitants of bordering regions are assured that the problem of finding room for them in the Hindu State is being systematically tackled and is likely to be satisfactorily solved in due course. In the absence of any such assurance, conditions are bound not to get better but worse. If the Indian Union is finally convinced that whether with or without full justification, the Hindu-Sikhs of the Pakistan area will not stay in Pakistan and will have to be settled within the Indian Union, it must ask the Pakistan Dominion to accept in exchange an equivalent number of Muslims and this number must be determined not haphazardly but as for a definite region. The incoming stream from the Punjab and the North-West Frontier Province must be given accommodation in the East Punjab and the Delhi Region and the exodus from Sind must be accommodated either in the Delhi region itself or in the contiguous regions of Rajputana and Kathiawar. The Government of the Indian Union

must, on calculation, delimit these regions of settlement and the exchange of populations within the regions so delimited must take place on a compulsory basis. Any solution on lines other than these will result in spreading the consequences of the exchange and its psychological repercussions over a very wide tract and of unnecessarily creating problems of congestion and conflict in many dispersed localities throughout the country. The compulsory exchange of populations within defined regions is the only way in which the problem can be tackled on a state to state basis. It is only thus that the cumulative process of retaliation and revenge can be ended. This policy, however, will apeal to the Government of the Indian Union only when it realises that it represents a Hindu State and has an overpowering obligation towards the Hindu-Sikhs in Pakistan.

(4) The problem of Junagadh and Hyderabad can also be rightly understood only in this perspective. The Gujarati Hindus of Junagadh and the Andhras, Marathas and Kannadigas of Hyderabad are all bound by ties of race, language, culture and history with important constituent units of the Indian Union. It is after all a minor point that Jungadh forms an integral portion of the geographic entity, Kathiawar. The important fact is that the territory of of Junagadh belongs to the Hindu nation of Gujarat and its inhabitants and cannot be made, against their will, subject to the Muslim State of Pakistan. The Gujaratis within the Indian Union cannot stand by and see the people of Junagadh so forced without an effort to prevent it and the Indian Union of whom they form an important part is right in taking up their cause on a State to State basis. The position of Hyderabad is on all fours with that of Junagadh. Whatever the merit of Satyagrah as a weapon in a fight against the British its use is obviously inappropriate in the case of Hyderabad. Satyagraha in Hyderabad is today merely giving a handle to the Muslim army and Police to terrorise and oppress the Hindu masses. The Hyderabad Hindus must not be encouraged or allowed to continue such an unequal struggle which might have long-term disastrous results. All Andhras, Marathas and Kannadigas are gravely concerned over the denial of political rights to their fellow nationals in Hyderabad and also over their oppression in educational, cultural and religious matters. For righting all these wrongs they must act through the Government of the Indian Union. In the days of the Maratha Confederacy, the Maratha princes were looked upon as the natural protectors of Hyderabad Hindus. The Government of the Indian Union takes their place today and must try to act with diplomatic and other weapons at least as effectively as they did.

Text of Statement

by

Prof. D. R. Gadgil

(10-10-47)

A "Hindu State", or more fully a "Federation of Hindu Nation-States" is the only proper description of the new Indian Union. Such a description has even less theocratic import than the description of the U. K. and the U. S. A. as Christian States. For, the term 'Hindu' is not associated with any particular cults or modes of worship or any set of theistic beliefs. The Hindu fold embraces within itself atheists as well as demon-worshippers and its philosophical systems range all the way from materialism to mysticism. In its broadest connotation the term 'Hindu' includes the parallel Buddhistic and Jain traditions and all the mediæval and modern reforming movements such as Lingayatism, Sikhism or the Brahmo Samaj. Professing the Hindu tradition is not necessarily incompatible with the practice of any particular religion and large numbers of Indian Christians have found no contradiction between the practice of Christianity and membership of the Hindu cultural world. The term "Hindu State" therefore, denotes no more than the State of the peoples who belong to a particular historico-cultural tradition and the Indian Union as a Union of such peoples and of the regions predominantly inhabited by them.

(2) To describe the Indian Union as a Hindu State is to bring out its dominant and most significant characteristic and can never mean that the territories of the Indian Union have no place for those who do not belong to the Hindu tradition and that such others will be descriminated against in law or in practice within the Union. The English State is closely connected with the Anglican Church. This has not prevented it from extending complete equality of treatment to all citizens, whether within or without the Anglican fold. Hindu rulers have followed the practice of religious toleration and non-discrimination against non-Hindus since times when even these concepts were unknown elsewhere. It is, therefore, a gross libel on the Hindu people to maintain that the description of a State as a Hindu State will breed intolerance or lead to discrimination.

On the other hand, the insistence on denying the Hindu character of the Indian Union must leave it without any principle of cohesion. The Indian Union, after the creation of Pakistan, is no longer even a significant geographical entity and the division of Bengal and the Punjab have shown that loyalty to the Hindu fold transcends considerations of regional unity and the language tie. For the scattered and diverse peoples comprised within the Indian Union today, from the Assamese to the Gujarati and from the Punjabi to the Tamil, the only cementing bond is the Hindu Heritage. Large political aggregates will not hold together for reasons of mere convenience and contiguity. History for thousands of years has shown that the Hindu allegiance does exercise, however fitfully or unevenly, a powerful hold on peoples within this land and is a vital principle of cohesion within it. To deny it is not only to fly in the face of history but also to run a grave risk of compromising the future. For, once this element is rejected or ignored, there is none to take its place. Many nationalities within the Indian Union today take pride in and have an abiding interest in the development of the Hindu tradition. If their State cannot be described as a Hindu State, they might well wonder why they should continue to have their fortunes linked permanently with peoples who cannot avow their Hindu origin and own the name Hindu.

(3) The partition of India has resulted in the creation of two States, one a Muslim State and the other a Hindu State. It is likely that if the principle of partition had been accepted with greater understanding and frankness and the partition had been brought about with less hustle and more deliberate thought, the catastrophe that has followed upon it might have been, at least in part, avoided. Whatever that might be the problems now facing the two Dominions can be porperly appreciated only after a frank acknowledgment that one State is Muslim and the other Hindu. Hindus and Sikhs are fleeing from their homes in the Muslim State and seeking entry into and protection under the Hindu State. The leaders of these migrant masses have rightly resented the appellation 'refugee'. The 'Refugee' is a stateless person and the state that harbours him extends charity. The role of the Hindu State vis-a-vis the Hindus and Sikhs of the Muslim State cannot be defined as that of a benevolent neutral. The immigrant Hindus and Shikhs might well be called potential citizens of the Hindu State who found themselves by the act of partition placed on the wrong side of the border. The partition was carried out on the assumption that in the Muslim State these Hindus and Sikhs would continue to enjoy all the rights of citizen-

ship and be enabled peacefully to pursue their lives and vocations. These hopes have been belied and being forced to leave their homes because of the attitudes or actions of the Muslim State or of its Muslim citizens, they desire entry and incorporation into the Hindu State. They must perforce be accommodated and their accommodation must be based on a principle and must follow a plan.

Most regions in India are already full of people and the attempt to distribute the so-called refugees all over the country is neither fair to them nor to the regions which are asked to receive them. In most of these regions the "refugees" will not feel as if they have settled among their own people. Also, most regions in India have their own problems of population and would, if they took a long view, be chary of admitting any large numbers who could not be easily assimilated within the indigenous population. The migrant Hindus and Sikhs can, therefore, be accommodated within the Hindu State only if an appropriate compensatory movement takes place out of specific regions within it. If the action of the Muslim State has created a problem of influx in the Hindu State the compensatory action must be for an appropriate number of Muslims to flow into the Muslim State and make room for the entry of Hindus and Sikhs. It follows that this process must take place in the regions nearest the border with which the linguistic, cultural, social, etc. affinities of the incoming population are the closest and also that the exchange must take place in a systematic manner under the direction of the two States. The present conditions are unfortunate in the extreme. An exchange of population is taking place but the movement is due to panic born of threats and intimidation. It is the duty of both the States to prevent these conditions. But this cannot be done until the incoming streams of people and the sympathising inhabitants of bordering regions are assured that the problem of finding room for them in the Hindu State is being systematically tackled and is likely to be satisfactorily solved in due course. In the absence of any such assurance, conditions are bound not to get better but worse. If the Indian Union is finally convinced that whether with or without full justification, the Hindu-Sikhs of the Pakistan area will not stay in Pakistan and will have to be settled within the Indian Union, it must ask the Pakistan Dominion to accept in exchange an equivalent number of Muslims and this number must be determined not haphazardly but as for a definite region. The incoming stream from the Punjab and the North-West Frontier Province must be given accommodation in the East Punjab and the Delhi Region and the exodus from Sind must be accommodated either in the Delhi region itself or in the contiguous regions of Rajputana and Kathiawar. The Government of the Indian Union

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